

Warwick District Council

# PUBLIC OPEN SPACE SUPPLEMENTARY PLANNING DOCUMENT

Consultation Draft January 2019









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## SECTION 1

# Purpose & Context

**This Supplementary Planning Document (SPD) sets out guidance for the provision, enhancement, adoption and future maintenance of Public open spaces (POS) required in conjunction with new residential and commercial development across Warwick District. It replaces the previous Open Space SPD that was produced and adopted by this Council in 2009.**

The primary objectives of this SPD are as follows:-

- To secure and ensure the provision of high quality, appropriate public open spaces
- To give clarity to developers as to what will be expected of them in terms of on-site POS provision or where appropriate commuted contributions or enhancements to existing open space
- To help secure safe and convenient access to POS, including children's play facilities to all residents of new housing developments and allotments where appropriate
- To ensure that POS is designed, laid out and maintained to an acceptable standard
- To help ensure that financial contributions for off-site POS enhancements to existing provision are calculated fairly in accordance with the Council's standards and spent appropriately
- To help enhance the environment and ecology/ biodiversity in the vicinity of new housing developments.

## **Background**

It is recognised that green space or POS, as well as good access to outdoor sports pitches and play facilities, has environmental, social and economic benefits. It is therefore an essential component of sustainable development. The Fields in Trust Charity (formerly known as The National Playing Fields Association) has produced research findings that demonstrate that parks and green spaces across the United Kingdom provide the population with over £34 billion of health and wellbeing benefits annually.

In order to maintain a high quality environment and ensure sustainable development, it is essential that sufficient recreational and amenity space is provided throughout the district to meet the existing and future needs of the community.

National planning policy for green space reflects its importance and there is a strong presumption in favour of retaining and improving open space provision, particularly the creation or protection of linked networks of greenspaces in order to produce larger accessible areas of green infrastructure.

National policy requires local authorities to conduct detailed audits of their open space and prepare an open space strategy to assist with planning and management decisions relating to open space. Warwick District Council has completed such an audit of its parks and open spaces and the purpose of this Supplementary Planning Document is to give further guidance to developers on the requirements for public open space on new developments. It therefore expands on policies within the adopted Warwick District Local Plan 2011-2029 (Policy HS4 in particular).

## **Policy Context**

This SPD is underpinned by a range of national, regional and local policy documents and strategies.

## National Policy

National Planning Policy Framework (July 2018)

National Planning Policy is set out in the National Planning Policy Framework (NPPF) with guidance on its interpretation provided in the Planning Practice Guidance (PPG). The NPPF emphasises the value to the health and well-being of communities that come from providing access to a network of high quality open spaces and opportunities for sport and physical activity. National Policy considers the need for open space, sport and recreation facilities to be provided in conjunction with new developments, and the protection of existing spaces and facilities from inappropriate development.

The NPPF advises that planning policies for open space, sport and recreation facilities should be informed by an assessment of need for their provision. The Council published its comprehensive Parks and Open Spaces Audit in 2008. In accordance with the guidance, the Audit also itemised deficits and surpluses of provision to help identify and inform decision making, and comprehensive quality audits have taken place every 3 years since.

Warwick District Council uses legal agreements to secure contributions to public open space. The Community Infrastructure Levy (CIL) Regulations 2010, Regulation 122 imposes statutory restraint on the use of planning obligations. The tests are repeated in paragraph 56 of the NPPF and advice contained within the PPG explains that "Planning Obligations mitigate the impact of unacceptable development to make it acceptable in planning terms".



## Local Policy

Warwick District Local Plan (2011-2029)

The Warwick District Local Plan was adopted in 2017. It includes a suite of parent policies which provide a policy framework to ensure that new development delivers open space to meet future needs and forms the context for the development of this SPD. The relevant policies are:-

Policy HS1 Healthy safe and Inclusive communities;

Policy HS2 Protecting Open Spaces, Sport and Recreation Facilities;

Policy HS3 Local Green Space;

Policy HS4 Improvements to Open Space, Sport and Recreation Facilities;

Policy HS5 Directing Open Space, Sport and Recreation Facilities;

Policy HS6 Creating Healthy Communities and

Policy DM1 Infrastructure Contributions

Policy FW2 Sustainable Drainage

Green Space Strategy for Warwick District (2012-2026)

This strategy was adopted by the Council in December 2012 its overriding function is to provide a strategic direction for the current and future provision of green space within Warwick District. It establishes an overall vision and framework for achieving key recommendations between 2012-2026 with a central theme being improving and maintaining the quality and value of all green spaces. The strategy also outlines a green space action plan that identifies specific green spaces that would benefit from qualitative improvements.

Playing Pitch and Outdoor Sport Strategy

The Council maintains and regularly updates a Playing Pitch Strategy. This document consists of a qualitative and quantitative study of the playing pitch provision in the district as well as projecting future demand based on the growth provided for in the Local Plan. This Strategy underpins the requirements laid out later in this SPD with regard to playing pitch provision and forms part of the SPD Evidence Base.

## Evidence Base

National policy requires local authorities to assess the level of provision of open space within their boundaries in order to fully understand their current levels and differing typologies of open space. This information provides a basis for informing standards required of new development and becomes an integral part of the wider Green Space Strategy for the Council.

A full, detailed audit of open space in Warwick District was completed by Pleydell Smithyman in 2008 in support of the Green Space Strategy. The open space audit conducted a full examination of the amount, location, type and quality of green spaces available across the District and the varying qualitative and quantitative needs of different areas. The audit

also involved a household questionnaire to help develop an understanding of the public's perception of the District's existing and future open space requirements. Overall there was general satisfaction with the level of open space provision although it was felt that improvements could be made to its quality and management in some instances.

The audit provided a significant amount of information and data on the amount, type and quality of open space available throughout the District as well as the varying qualitative and quantitative needs of different areas. This audit and the data collected was mapped on the Council's GIS system and will continue to assist and inform negotiations regarding open space provision going forwards.

It is the Council's intention to continue to utilise the overall standard of 5.47 Ha of unrestricted open space per 1000 head of population that was derived from the Parks and Open Spaces Audit as the basis for seeking open space contributions. For sites over 100 dwellings, a further 0.42 ha per 1000 head specifically for allotments. Negotiations with developers have, and will continue to, secure both land and financial contributions with regard to this standard in order to ensure that new developments will bring forward POS in a manner that reflects and replicates the District's historical levels of open space delivery as well as the character and nature of the District. In doing so, it is the Council's ambition to ensure that new development and the communities emerging will have access to an appropriate level of opportunities and access to enjoy high quality networks of green infrastructure and open spaces.

A review of major developments approved since the adoption of the Strategy show that the standards have been consistently met and that the findings of the original study remain. The details of this research are provided as part of the SPD Evidence Base.

The document updates advice regarding the process of engaging with the planning process and in particular provides a clearer understanding of what the Council will require from developers regarding the adoption process and legal agreements to ensure appropriate future management and maintenance regimes. Furthermore, it allows for a greater flexibility across the various typologies of public open space, ensuring that the right quantum of open space can be provided, whilst recognising that there can be areas of overlap such as between well-designed SuDS and natural areas.



## SECTION 2

# Public Open Space Requirements

## Residential Developments

On all residential developments of 11 or more dwellings\* there will be a requirement for public open spaces provision in accordance with the standards specified in this SPD. The District Council will expect developers to meet the overall open space requirement; however it may apply a degree of flexibility to the individual types of space having regard to the Parks and Open Space Audit and the particular circumstances of the development site in question.

Where it is demonstrated that it is impractical or inappropriate to provide open space physically on-site, the District Council may consider commuting the requirement to an alternative location provided that it is within reasonable walking distance of the development. A distance of 480 meters approximately a 10 minutes' walk is considered appropriate for this purpose.

Where neither an on-site nor off-site location is available or considered appropriate to serve the development, a financial contribution from the developer as a means of providing qualitative improvements to existing open space will be required. The form of any contribution will be guided by the findings of the District's Parks and Open Spaces Audit and any other material evidence.

In instances where off-site financial contributions are proposed, the Council will endeavour to ensure that any qualitative improvements are within a reasonable distance of the development.

Where a developer makes the physical provision of new open space it will be delivered to an agreed standard, as detailed in this SPD. It is the authority's expectation that the public open space will be offered to the Council for adoption.

## Commercial Developments

New commercial or industrial developments will create demand for public open space through their workforce. Such open space will need to be available on site so that employees can take advantage of it during their working day. The provision will focus on amenity open space, parks and gardens and accessible natural areas, with no need to provide allotments or youth areas. Smaller developments that will employ less than 100 full-time equivalent employees will be exempt.

\* any subsequent changes to national planning policies that alter the minimum number of dwellings that such an obligation can apply to will be used

## The Public Open Space Standard – Residential developments

In order to maintain the current average provision of POS, a minimum of 5.47ha of unrestricted public open space will be required per 1000 head of population. The proportion of this space given to each of the 5 typologies is as follows:

For the avoidance of doubt POS must be useable by the public. Thus non-useable landscaping such as 'SLOAP' (space left over after planning) will not count towards the standards. For example, roadside verges would not count but areas where dogs could be walked or people could sit or children play informally would contribute.

### **Amenity Green Space: 17%**

Opportunities for informal activities close to home or work. They are important for the enhancement of the appearance of residential or other areas but are not laid or managed for specific formal functions, such as a sports pitch. Road side verges and similar spaces do fulfil the function of amenity green space.







**Parks and Gardens: 35%**

Accessible, high quality opportunities for informal recreation and community events. These include urban parks, formal gardens and country parks.

**Natural Areas including Urban Woodland: 35%**

These areas are principally aimed at protecting and enhancing wildlife conservation, biodiversity and environmental education and awareness through environments such as urban woodlands, grasslands, wetlands and wildflower meadows.

**Allotments, Community Gardens and Urban Farms: 7%**

Opportunities for those who wish to grow their own produce as part of the long term promotion of sustainability, health and social inclusion.

**Children / Youth Areas: 6%**

Areas designed primarily for play and social interaction and young people, such as equipped play areas, ball courts, skateboard areas and teenage shelters.

Sites of over 100 dwellings will be required to provide a further amount specifically for allotments of 0.42ha per 1000 head of population.

## **The Public Open Space Standard – Commercial and Industrial developments**

In order to provide public open space for the benefit of employees, a minimum of 2.5ha of unrestricted public open space will be required per 1000 employees. Developments that result in less than 100 f/t equivalent employees will be exempt. The proportion of this space given to each of the 5 typologies is as follows:

**Amenity Green Space: 20%**

Opportunities for informal activities close to home or work. They are important for the enhancement of the appearance of residential or other areas but are not laid or managed for specific formal functions, such as a sports pitch. Road side verges and similar spaces do fulfil the function of amenity green space.

**Parks and Gardens: 40%**

Accessible, high quality opportunities for informal recreation and community events. These include urban parks, formal gardens and country parks.

**Natural Areas including Urban Woodland: 40%**

These areas are principally aimed at protecting and enhancing wildlife conservation, biodiversity and environmental education and awareness through environments such as urban woodlands, grasslands, wetlands and wildflower meadows.

**Allotments, Community Gardens and Urban Farms: 0%**

Opportunities for those who wish to grow their own produce as part of the long term promotion of sustainability, health and social inclusion.

**Children / Youth Areas: 0%**

Areas designed primarily for play and social interaction and young people, such as equipped play areas, ball courts, skateboard areas and teenage shelters.



## How the standards should be applied

### Calculating the quantum of open space to be provided

#### Residential

The amount of land required to meet the standard is determined by first calculating the population of the proposed development. For residential developments this is worked out by taking the number of bedrooms in each dwelling provided in the development as the head of population, with the exception of one bedroom dwellings which will be assumed to have 1.5 people. For student housing, the number of students to be accommodated will be used

To calculate the total open space required, divide the number of people from the development (see above) by 1000 and then multiply by the open space standard of 5.47 (hectares)

In relation to housing schemes that are to particularly meet the needs of the elderly then contributions for parks and gardens and amenity open space will be the Council's main focus. This means that the proportions of allotment and play areas may be reduced whilst increasing the other public open space typologies in order to maintain the required quantum

In relation to other adult care schemes, flexibility will be afforded in the ratio of the various typologies of open space, for example to provide greater gardening opportunities, as long as the overall quantum required is met.

Apart from the exceptions mentioned above, developments over 100 dwellings will be required to provide allotments on-site, or make alternative provisions within 480 metres of the site. Sites adjacent to one another combining provision in one area will be encouraged to help deliver effective allotment sites. Allotment provision is a statutory duty of the council and less flexibility will be afforded to non-provision when the threshold is reached.

#### Commercial and Industrial

The amount of land required to meet the standard is determined by first calculating the full-time equivalent jobs of the proposed development.

To calculate the total open space required, divide the number of full-time jobs from the development by 1000 and then multiply by the open space standard of 2.5 (hectares)

### Calculation of Commuted Sum for maintenance of public open spaces

Arrangements will need to be made for the maintenance and management of any POS, and this will require the payment of a commuted sum to the District Council. This will involve a site-specific calculation of the annual maintenance costs over a period of twenty years, taking into account the various components that make up the open space, plus a 28% management fee to managing the maintenance

Broadly indicative costs are produced periodically by the authority in order to offer guidance to developers, and such a document is appended to this SPD as Appendix 3. However, each site is unique in requirement and costs, and the provided information should be regarded as advisory only, with definitive calculations produced at the point of application. The provision of such a calculation is dependent upon the provision of a detailed POS Scheme that demonstrates not only the quantum of POS to be provided but also visibly determines the specific provision of the various typologies and management prescriptions.

### **Calculation of the capital off-site sum**

The sum calculated for each type of open space where full provision is not made on site will be based on the estimated cost of creating the public open spaces (and subsequent maintenance costs over a twenty year period). Guidance is provided in Appendix 3.

In order to maintain the high quality of public open spaces that is currently prevalent in the District, and to ensure that maintenance and enhancement can take place seamlessly in the future, it is expected that developers will offer POS land to be adopted by the District Council, along with a suitable commuted sum for future maintenance. In the event that the POS is passed to another party to maintain, the provisions laid out in Appendix 7 should be adhered to.

### **Administering the System**

With regard to the on-site provision of public open spaces a Commuted Sum for maintenance is to be paid to the District Council upon formal land adoption by the authority.

Formal Local Authority adoption of POS will only take place when the Council considers that the POS has reached an acceptable standard upon practical completion and any commuted sum for maintenance has been received.

Off-site Provision Capital Sums will be spent on open space improvements identified by the Council as part of the Section 106 agreement. Improvements to open space shall include; the creation of new areas where there is a deficiency; raising existing standards and adding value to an area in terms of the leisure experience on offer.

In addition to the commuted sum, applicants will be expected to pay the Councils legal costs involved in making the planning obligation.





## SECTION 3

# Site Requirements & Standards



Design Guidance (Appendix 2) is included to detail the minimum requirements that need to be met for POS. This Guidance will inform developer decisions on various matters such as site location, access, biodiversity and so forth. As part of the application submission it will be expected that the applicant submit a compliant public open spaces Design which details and demonstrates compliance with the Guidance and shows spatially the location and appropriate provision of the various open space typologies.

It is expected that POS will be offered to the Local Authority for adoption. In the event that the LA does not adopt the open space then the developer will be required to deliver a maintenance programme to an agreed Management Plan, which will replicate the quality of maintenance prevalent throughout the LA-managed POS. Where one is required, the satisfactory completion of a Management Plan will be a requirement prior to commencement.

Public open spaces requires unfettered access for members of the public throughout the year. In order to ensure safety and other considerations elements of gating and fencing may need to be included within the design. These matters should be discussed at the earliest available opportunity to ensure appropriateness and to also ensure that the Local Authorities maintenance vehicles can access the site post adoption. A post-installation independent safety audit of the POS will be required.

## **Sustainable Drainage Systems (SuDS)**

The Local Plan contains a number of policies on flooding and water management. All new developments must incorporate sustainable drainage systems (SuDS) that provide biodiversity, water quality and amenity benefits and be in accordance with the Warwickshire Surface Water Management Plan. It is preferable for SuDS to be located and designed within the public open spaces. Details will need to be submitted and approved that cover the technical design, performance specification and maintenance (short and long-term) of the SuDS and how these integrate with the design of the public open spaces. This will be secured by way of a Planning Obligation under Section 106 of the Town and Country Planning Act 1990. A template Section 106 agreement is included in Appendix 8.

The expectation is that SuDS will likely form part of the public open spaces and therefore be offered to the Council for adoption and long-term maintenance. It is crucial that developers consider SuDS, landscaping and public open space in the design concept for the site from the outset.

SuDS form part of the surface water drainage system and must therefore be designed to perform a technical drainage function. Developers will be required to submit a SuDS Specification that sets out the detail for how the SuDS will be designed, constructed and maintained (see below). The SuDS Specification should be prepared by a suitably qualified and professionally approved person carrying appropriate Professional Indemnity insurance.

The SuDS Specification, in the form of a report or suite of reports, should include the following plans and technical detail:

1. Hydraulic calculations;
2. Control devices and flow control measures;
3. Geotechnical design criteria;
4. Permeability assessment;
5. Proposed design specification;
6. Proposed landscaping and boundary treatments;

7. A short and long term management plan for the SuDS;
8. Life-saving equipment (e.g. lifebelts) where required;
9. Warning and information signage where required;
10. Proposals that seek to maximise ecological benefit;
11. The exact location and dimensions of the SuDS;
12. A construction programme for the SuDS identifying timings for commencement through to completion of the SuDS;
13. A Management and Maintenance Plan for the SuDS that identifies the required management and maintenance of the SuDS in the short, medium and long-term;
14. A ROSPA assessment/certificate;
15. A CDM designer's Risk Assessment evidencing that the SuDS can be operated safely; and
16. Public Liability Insurance.

The SuDS Specification will be considered and determined by the Council as part of the Detailed or Reserved Matters application process for a development or an area of development. Development shall not commence for an area until the Council has approved the SuDS Specification.

The SuDS for a development or an area of development should be installed and completed in accordance with the SuDS Specification prior to the occupation of any dwelling or use of any buildings.

The developer will need to confirm/demonstrate that the SuDS for any phase or area of development has been constructed and completed in accordance with the SuDS Specification. This will be done by submitting to the Council a report, together with a complete set of 'As Built' drawings, prepared by a suitably qualified and professionally approved person(s) carrying appropriate professional indemnity Insurance. Following inspection by the Council a Completion Certificate will be issued upon satisfactory completion of the SuDS. This process will be set out in detail in the S106 Agreement.

The developer will maintain the SuDS in line with the SuDS Specification for a minimum period of 12 months following completion and until the public open spaces is transferred to the Council for adoption. A Commuted Sum for the maintenance of the SuDS, based on details set out in the approved SuDS Specification, will be agreed between the developer and the Council and paid upon transfer of the public open spaces.

## Allotments

The recommendations of 'Growing in the Community' (second edition) published by the LGA, will be implemented. This addresses requirements including minimum depth of topsoil; metered water supply to site, appropriate number of water points (one per every 5 plots), notice board, paths fit for purpose off an adopted highway, and secure fencing. Allotment provision will be required on all sites for 100 or more dwellings. More detail on allotment specification can be found in Appendix 2.

## SECTION 4

# Playing Pitch Requirements

Increases in population will inevitably lead to more use of playing pitches for a variety of organised sports, especially football. Participation rates are to be encouraged, with the benefits of team and individual sport being clear. As the District's population grows, new teams will be generated which in turn will put stress on, or exceed, current infrastructure provision.

The Council regularly refreshes its Playing Pitch Strategy (PPS), with the current PPS provided as part of the evidence base. The PPS reviews Team Generation Rates (TGR) as well as the current available infrastructure capacity across a range of sports. Where a deficiency is demonstrated then a plan is put into place to address this, and it is appropriate that developments that are contributing to the increased requirement contribute to the costs of providing the required infrastructure.

Sports pitches are most successful, and efficient when clustered to create hubs, and the Council is focused on provision of four key hubs. These hubs require a variety of work, including but not limited to new pitches and facilities and improvements to existing pitches to allow for increased rates of usage.

The costs of these improvements and expansions have been estimated in the PPS, and developments will be expected to contribute to these. It is recognised that by providing a small handful of key hubs these will be local attractors and will generate trips from across the District, allowing residents to choose where and for whom to participate in team sports. It is appropriate that all developments will be expected to provide to the overall increase in playing pitch capacity. In order to ensure compliance with the current pooling restrictions, Section 106 agreements will specify individual projects. However, in order for developers to plan appropriately, an approved Sports England calculator has been provided in the Evidence Base. This shows that on average developments should expect to pay in the region of £150k per 1000 head of population.



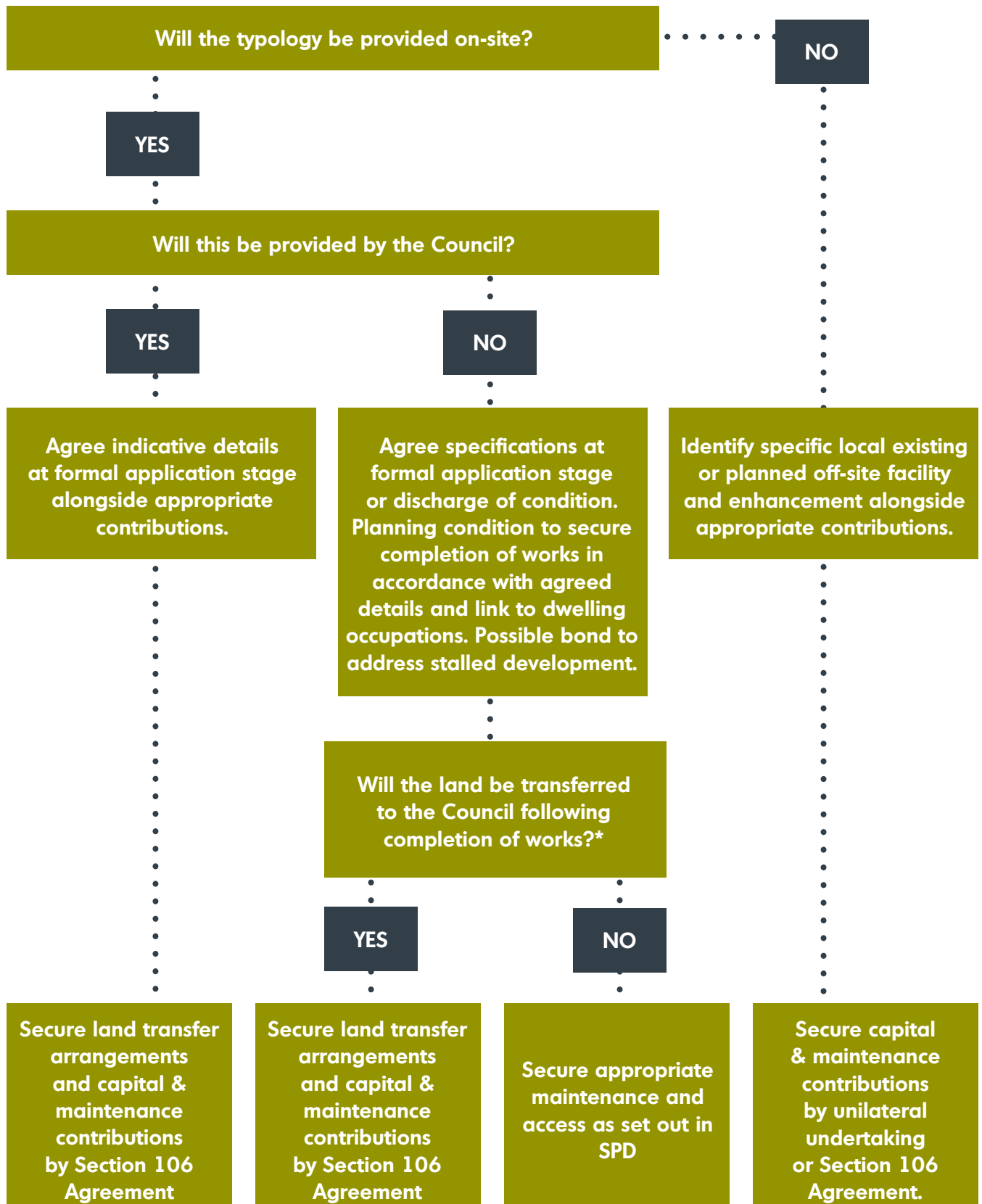


SECTION 5

# Public Open Space Process Map

## How Provision will be secured

The diagram below shows the processes and procedural considerations to be addressed when formulating POS contributions to accompany a development proposal.









## APPENDIX 1

# Draft Management Plan

# Contents

**000 INTRODUCTION**

**000 POS SCHEME**

**000 OVERALL MANAGEMENT OBJECTIVES**

**000 GENERAL MAINTENANCE ITEMS**

**000 MANAGEMENT PRESCRIPTIONS**

**000 INTRODUCTION**

**000 SOFT LANDSCAPING**

**000** All new planting, including grass (years 1-5)

**000** Existing trees

**000** Newly planted trees

**000** Existing native hedges

**000** New native hedges

**000** Ornamental and amenity hedges

**000** Amenity grass

**000** Ornamental grass

**000** Perennial meadow

**000** Tall herbage (grass)

**000** Bulbs in grassed areas

**000** Grass paths

**000** Shrub beds

**000** Mixed herbaceous beds

**000** Free standing raised beds and planters

**000** Existing coppice

**000** Shelter belts

**000 HARD LANDSCAPING**

**000** Paths

**000** Street furniture

**000** Gabion cages

**000** Constructed eco habitats (bat/bird boxes, otter holts, hibernaculum)

**000** Bridges

**000** Retaining structures

**000 WATER BODIES (INCLUDING PONDS, LAKES AND OPEN WATER)**

**000** Buffer zone

**000** Reedbeds

**000** Open water

**000** Watercourses including drainage ditches

**000** Inlets and outlets including ditches and drains

**000** Fountains

**000** Nesting swans

**000** Canadian geese

**000** Fish

**000** Safety Buoys

**000** Pollution

**000 CLEANSING**

**000** Leaf litter

**000** Fly tipping, litter, dog fouling and graffiti

**000** Litter bins/dog bins

**000** Sweeping hard area – sealed surfaces

**000** Sweeping hard area – unbound surfaces

**000** Cleaning of benches and signs

**000** Snow and ice

**000** Dead animals

## CHILDREN AND YOUTH

- 000 Play areas
- 000 Informal grass sports pitches
- 000 Basketball/Hard surface ball courts
- 000 BMX tracks (grass)
- 000 Stake parks (metal/concrete)

## 000 MISCELLANEOUS

- 000 Pests (animals and insects)
- 000 Notifiable tree pests and diseases
- 000 Invasive species
- 000 Dogs
- 000 Not permitted

## 000 POS SCHEME: TABLES TO BE COMPLETED

- 000 **TABLE 1:** Do the approved landscape plans provide the following detail?
- 000 **TABLE 2:** List of additional plans
- 000 **TABLE 3:** Commuted maintenance sum

# Introduction

This management plan sets out the necessary prescriptions for the management of public open spaces and play areas ('POS'). Through Section 106 Agreements, developers and subsequent managers will be required to manage their POS in accordance with it, unless an alternative has been approved, in writing, by WDC. It will apply until the land is formally transferred to WDC.

## **Landscape Ecology Management Plan (LEMP)**

If during the planning process, a LEMP has been approved for the development, it will take precedent over any duplicate prescriptions in this management plan. However, this management plan applies to all prescriptions absent from an approved LEMP; and will apply when the LEMP expires.

## **Sustainable Drainage Systems (SuDS)**

This management plan does not include SuDS. A Section 106 Agreement or planning condition will require a developer to provide a site specific management plan for SuDS.



# POS Scheme

Prior to commencement, a Section 106 Agreement will require the submission of a POS Scheme for approval by WDC.

The POS Scheme will comprise of:

1. This management plan; ACCOMPANIED by
2. An approved LEMP (if applicable).
3. Approved landscape plans (see details below).
4. A boundary plan (see details below).
5. Tables 1, 2 and 3 completed (found at the end of this appendix).
6. A programme for the delivery of the POS.

### **Approved landscape plans**

To accompany this management plan the developer will need to annex a copy of the sites approved landscape plans. It is expected that these plans will detail (as a minimum) the items listed in table 1 at the end of this appendix. Table 1 should be completed to confirm the information is provided. If any details are absent, an additional plan (or plans) will be required to understand what has been, or will be, provided and where, to ensure elements are appropriately managed. Additional plans should be listed in Table 2.

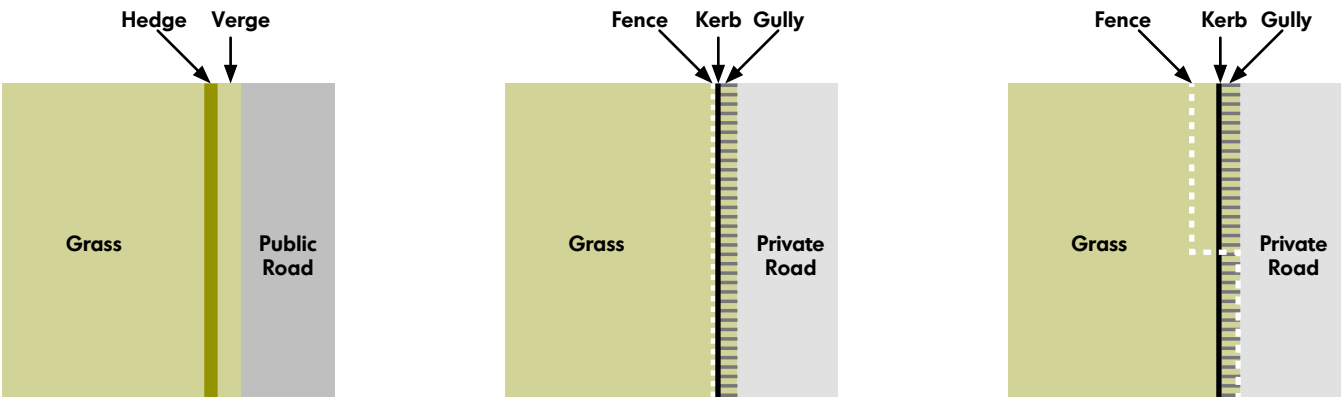
### **Requirement for a boundary plan**

WDC's preference is to adopt POS and a s106 agreement will typically require the developer to formally offer the POS to WDC prior to commencement - although the land would not transfer until it has been laid out to an acceptable standard. To evaluate that offer, a printed, boundary plan, to a recognised scale, is required with the formal offer to understand exactly what land is being offered to WDC for adoption. It needs to clearly and accurately show:

- What land is being offered?
- What physically forms the boundary of that land to understand where responsibility stops/starts?
- Who is (or will be) responsible for that feature?

For example, in scenario 1 (page 32) – is the hedge the boundary? And if so, is the hedge part of the transfer, or will it be for the County Council to maintain as part the public highway? The boundary plan should specify. In scenario 2, is the fence or kerb the POS boundary? And who is responsible for the fence/kerb? Again the boundary plan should specify. And what happens in scenario 3 – the boundary plan should advise.

The boundary plan must be explicit to understand where responsibilities being, and end, to avoid future misunderstanding.



Commuted Maintenance Sum

When the POS is transferred to WDC, a commuted maintenance sum will be payable. To calculate that sum, Table 3 at the end of the document must be completed. The table lists the maintenance prescriptions outlined in this appendix. Should items not appear, they should be added to Table 3 with details of what they cost the developer to install. These costs will be used to assess a maintenance figure.



# Overall management objectives

The overriding objective of this management plan is to ensure that all POS are well managed and are safe and welcoming places, which are managed in a sustainable and ecologically sensitive manner. It is the Council's aspiration that all POS would be of a standard to qualify for a Green Flag Award.

The Green Flag Award® scheme recognises and rewards well managed parks and green spaces, setting the benchmark standard for the management of recreational outdoor spaces across the United Kingdom and around the world.

## **Purpose & aims**

- To ensure that everybody has access to quality green and other open spaces, irrespective of where they live.
- To ensure that these spaces are appropriately managed and meet the needs of the communities that they serve.
- To establish standards of good management.
- To promote and share good practice amongst the green space sector.
- To recognise and reward the hard work of managers, staff and volunteers.

Source: [www.greenflagaward.org.uk](http://www.greenflagaward.org.uk)

# General maintenance items

To achieve the overall objective, all maintenance will be undertaken by a competent landscape contractor, registered with the British Association of Landscape Industries (BALI) and will be British Agrochemical Standards Inspection Scheme registered (BASIS), with the BASIS Advanced Contractor Certification Scheme (BACCS). One senior member of the landscape contractor working on this project will hold the BASIS Certificate in Amenity Pest Management. Any operative applying chemicals must hold their own personal Certificate of Competence for Pesticide Application (e.g. PA6), which must be available for inspection at all times. All tree work will be undertaken by a qualified professional, registered with the Arboriculture Association and all play area inspections will be undertaken by a professional holding an up-to-date RPII certificate (Register of Play Inspectors International).

Where practicable, waste materials removed from site should be recycled.

# Management prescriptions



# Introduction

The management prescriptions are not overtly descriptive because qualified professionals (see 'general maintenance items' above) should be familiar with current legislation and good practices; and it is expected that they will keep up-to-date with changes to legislation and working practices.

All arisings removed from site, including controlled waste, is to be managed in line with all current legislation on managing, carrying and disposing of waste.

# Soft Landscaping

## All new planting, including grass (years 1-5)

Prescription		Frequency	When
<b>Dead/dying</b>	Replace/reseed in the current planting season with the same species and sizes unless alternatives have been approved in writing by the local planning authority.	Annually	Oct-Mar

## Existing trees

Prescription		Frequency	When
<b>Site inspections</b>	All trees that would fall on a play area or other area of high foot fall	Annually	Anytime
	All other trees (exc. woodlands)	Every 3 years	
	Woodland edge trees (abutting private property/roads/paths)	Every 5 years	
	'Dangerous' results	Within 24 hours	
	Other faults, including follow up aerial surveys and decay detection	As recommended in the report	
<b>Epicormic growth</b>	Remove	Twice a year	May-June & Sept-Oct
<b>Crown lift</b>	In all amenity areas (exc. woodlands, conifers and weeping species), maintain a clear crown height at 2.5 metres	Annually	Nov-Jan
<b>Pollard</b>	All trees previously pollarded	Every 5 years	
<b>Light columns</b>	Cut back all overhanging vegetation	Annually	
<b>Ivy</b>	When 80% of the crown is covered, cut ivy at ground level and allow to re-grow. Leave cut material in the tree.	As required	Dec-Jan
<b>Arisings</b>	Collect and remove from site, except in woodlands when it can be stacked to create eco habitats.	As created	Anytime

## Newly planted trees

Prescription		Frequency	When
<b>Water</b>	Until established	Weekly or more frequently in dry spells	Anytime
<b>Mulch</b>	A 300mm radius of the trunk to be top dressed with untreated bark chip to a depth of 100mm	Annually	Feb-April
<b>Spray</b>	A 300mm radius of trunk to be treated with a contact herbicide (exc. whips)	Annually	April-May
<b>Spiral guards and canes</b>	Remove cane	Year 3	Anytime
	Remove spiral guard	Year 5	
<b>Strim guards</b>	Check and replace if missing	Annually, years 1-5	Anytime
	Remove	Year 6	
<b>Ties and stakes – standard trees (planted with a ‘H’ staking system)</b> <b>Underground anchors</b>	Check and adjust	Twice a year & after severe weather	Anytime
	Remove ties and the crossbar. Retain upright stakes to protect against strimmer/mower damaged.	Year 3	
	Remove/untie	Year 5	
<b>Weeds (whips)</b>	Within a 0.5 metre, hand weed any weeds outgrowing the tree.	Twice a year	May & Sept/Oct

## Existing native hedges

Prescription		Frequency	When
<b>Sides (only)</b>	Cut back current season's growth. Arising to be left on site.	Annually	Feb
<b>Lay</b>	Lay and remove arisings off site	Every 5-10 years	Nov-Jan
<b>Gap up</b>	As needed with whips to match existing hedge species	Annually	Oct-Feb



## New native hedges

Prescription		Frequency	When
<b>Year 1-3</b>	Same as 'new tree planting'		
<b>Year 2: top</b>	Reduce height by a third to promote thick growth	Once	Nov-Feb
<b>Year 4-9: sides</b>	Cut back current season's growth. Arisings to be left on site.	Annually	Feb
<b>Year 10: lay</b>	Lay and remove arisings off-site	Annually	Oct-Feb
<b>Year 11+</b>	Same as 'existing native hedge'		

## Ornamental and amenity hedges

Prescription		Frequency	When
<b>Cut</b>	Remove current season's growth (top and sides) after first checking for nesting birds. Height not to exceed that specified on the approved landscape plans	Twice a year	May/June & Aug/Sept
<b>Weeds</b>	Hand weed the base of any excessive weeds and any self-sown (or otherwise planted) plants not appearing on the approved landscape plans		May and Aug
<b>Arisings</b>	Collect and remove from site	As created	Anytime
<b>Chemicals</b>	Not to be used		

## Amenity grass

Prescription		Frequency	When
<b>Litter</b>	Removed before cutting (do not mow over).	Every cut	Mar-Nov
<b>Mow (height)</b>	Max 80mm, min 40mm	14 times per year	
<b>Arisings</b>	Mulched and spread evenly across the sward	Every cut	
<b>Edges</b>	Cut with a half moon	Once a year	Jun/July
<b>Fixed obstacles</b>	With a residual herbicide spray a 0.2 metre area along/around the edge of each obstacle, avoiding any drift		Jan/Feb

## Ornamental grass

Prescription		Frequency	When
<b>Litter</b>	Removed before cutting (do not mow over).	Every cut	Mar-Nov
<b>Mow (height)</b>	Max 40mm, min 20mm	26 times per year	
<b>Arisings</b>	Mulched and spread evenly across the sward	Every cut	
<b>Edges</b>	Cut with a half moon. Overhang not to exceed 25mm	Once a year	Jun/July
<b>Fixed obstacles</b>	With a residual herbicide spray a 0.2 metre area along/around the edge of the obstacle, avoiding any drift		Jan/Feb

## Perennial meadow

### Year 1

Prescription		Frequency	When
<b>Litter</b>	Removed before cutting (do not mow over).	Every cut	Mar-Nov
<b>Mow (height)</b>	Max 80mm, min 40mm	14 cuts	
<b>Arisings</b>	Collect and remove from site	Every cut	
<b>Weed</b>	Survey to identify pernicious weeds. Pull Ragwort by hand and remove from site. Spot spray others.	Once a year	May

### Year 2 onwards

Prescription		Frequency	When
<b>Litter</b>	Removed before cutting (do not mow over).	Every cut	Spring (April/May) and summer (after 15th July)
<b>Mow (height)</b>	Use a reciprocating blade. Max 80mm, min 40mm	Twice a year	
<b>Arisings</b>	In spring, mulch and spread evenly across the sward. In summer, cut and windrow. Leave for 2 days, then collect and remove from site.	Every cut	
<b>Weed</b>	Survey to identify pernicious weeds. Pull Ragwort by hand and remove from site. Spot spray others.	Once a year	May

## Tall herbage (grass)

Prescription		Frequency	When
Litter	Removed before cutting (do not mow over).	Every cut	Feb
Cut	In rotation, cut one fifth of the total area	Once a year	
Mow (height)	Max 100mm, min 50mm		
Arisings	Collect and remove from site	Every cut	
Weed	Bramble, seedling trees and other woody vegetation to be removed as part of the cut, ensuring site is left safe with no sharp points or trip hazards	Before each cut	

## Bulbs in grassed areas

Prescription		Frequency	When
Litter	Removed before cutting (do not mow over).	Every cut	When 95% of the leaves have turned brown
Cut	In rotation, cut one fifth of the total area	Once a year	
Subsequent cuts	Same as 'amenity grass'		

## Grass paths

Prescription		Frequency	When
Litter	Removed before cutting (do not mow over).	Every cut	Mar-Nov
Mow (height)	Max 75mm, min 25mm	14 times per year	
Mow (width)	2.5 – 3 metres.		
Face up	Cut back any vegetation falling in, or over, the cleared path width		
Arisings	Mulched and spread evenly across the sward	Every cut	



## Shrub beds

Prescription		Frequency	When
<b>Water (year 1)</b>	To aid establishment	Weekly	April-Sept
<b>Prune</b>	In line with good horticultural practice for each plant species, prune as recommended	Annually	Various
<b>Arisings</b>	Collected and removed from site	Each cut	

## Mixed herbaceous beds

Prescription		Frequency	When
<b>Water (year 1)</b>	To aid establishment	Weekly	April-Sept
<b>Prune</b>	In line with good horticultural practice for each plant species, prune as recommended <sup>1</sup>	Annually	Various
<b>Divide</b>	Lift, divide and replant perennials, dispose of weak/dead centre sections	Every 3 years	Mar/Apr
<b>Mulch</b>	Top dress with a weed free organic mulch to a depth of 50mm	Annually	Feb/Mar
<b>Arisings</b>	Collected and removed from site	As created	
<b>Chemicals</b>	Not to be used		

<sup>1</sup>The Royal Horticultural Society provides guidance on-line at: <https://www.rhs.org.uk/advice/plant-care/pruning>

## Free standing raised beds and planters

Prescription		Frequency	When
Prune	In line with good horticultural practice for each plant species, prune as recommended	Annually	Various
Water	To sustain plants, water weekly or more frequently in sustained periods of dry weather	Weekly (plus)	Apr/Oct  Feb/Mar
Weed	Hand weed	Monthly	
Mulch	Top dress gravel to match existing to a depth of 50mm	Annually	
Arisings	Collected and removed from site	As created	
Chemicals	Not to be used		

## Existing coppice

Prescription		Frequency	When
<b>Coppice</b>	On a rota cut to the ground one fifth of the total area. Minimum area 0.25ha. (smaller areas to be treated as 'woodland')	Every 10 years	Nov-Feb
<b>Arisings</b>	Collected and removed from site	After each coppice	
<b>Beech and Oak</b>	If present, do not coppice. Leave as free standing trees	Never	Never

## Shelter belts

Prescription		Frequency	When
<b>Coppice</b>	On a rota, cut to the ground, one fifth of the total length. No block larger than 20 metres.	Every 10 years	Nov-Feb
<b>Trees</b>	Leave 1 in 10 trees standing to grow to maturity. Never coppice beech or oak.	Never	Never

# Hard landscaping

## Paths

Prescription		Frequency	When
<b>Inspect</b>	Carry out a safety inspection to ensure fit for purpose	Annually	Anytime
<b>Repairs</b>	Hazardous fault	As reported	Within 24 hrs
	Other faults	As reported	Within a month
<b>Line marking</b>	Remark as necessary to ensure clear depiction	As required	Within a month
<b>Edge</b>	Cut all edges with a half moon ('see grass cutting').	Annually	June/July
<b>Spray</b>	With a contact herbicide, spray any vegetation growing onto, or over the edge of the path	Twice a year	May & Aug
<b>Unbound surfaces</b>	Keep surface level to prevent ponding. Infill to match existing material.	As needed	

## Street furniture

Prescription		Frequency	When
<b>Maintain</b>	As per manufactures' instructions	Annually	Anytime
<b>Inspect</b>	Carry out a safety inspection	Twice a year	Spring/Autumn
	Hazardous fault	As reported	Within 24 hrs
<b>Repair</b>	Other faults	As reported	Within a month
<b>Teak furniture</b>	Apply teak oil	Annually	May/June
<b>Metal railings</b>	Re-paint	Every 5 years	May/Aug

<b>Locks</b>	Check to ensure in good working order and lubricate.	Monthly	Each month
	Replace if damaged / missing	As required	Within 5 working days
<b>Lighting</b>	Replace damaged or defective with matching fittings	As required	Within 10 working days
<b>Gates</b>	Inspect to ensure design limitations do not restrict access to mobility vehicles/pushchairs	Monthly	Each month

## Gabion cages

### In water

Prescription		Frequency	When
<b>Inspect</b>	Check	Twice a year	April/May and Sept/Oct
<b>Repack</b>	If needed, repack with suitable materials		

### On land

Prescription		Frequency	When
<b>Inspect</b>	Check	Monthly	Each month
<b>Repack and repair</b>	If needed, with suitable materials	As required	Same day in play areas. Within a month elsewhere.
<b>Weeds</b>	To be kept weed free at all times		



## Constructed eco habitats (bat/bird boxes, otter holts, hibernaculum)

Prescription		Frequency	When
<b>Bird boxes</b>	Check and clean	Annually	Nov
<b>Bat boxes</b>	Do nothing. Only maintenance free boxes should be installed	n/a	n/a
<b>Disturbance</b>	Retain a map to identify where all artificial features are located	Continuous	
<b>Teak furniture</b>	Be respectful of operations within the areas shown on the map		

## Bridges

Prescription		Frequency	When
<b>Inspect</b>	Visual inspection	Monthly	Each month
	Written inspection report, including a dive inspection for parts submerged in water	Annually	Anytime
<b>Faults</b>	Hazardous reports – repair or close and fence off to prevent access; and sign a diversion	As required	Within 24 hrs
	Repair	As required	Within a month

## Retaining structures

Prescription		Frequency	When
<b>Inspect</b>	Safety inspection to be completed by a qualified structural engineer	Annually	Anytime
<b>Actions</b>	As per the report		

# Water bodies (including ponds, lakes and open water)

## Buffer zone

(On dry land, a 2 metre wide zone of tall vegetation around the edge of a pond/lake)

Prescription		Frequency	When
<b>Cut (height)</b>	Max 100mm	Annually	Sept
<b>Self-sown trees</b>	Remove, including the roots	Annually	Oct-Feb
<b>Weed</b>	Remove invasive weeds: · Pull Himalayan Balsam by hand before flowers go to seed. · Spray Giant Hogweed with a contact herbicide (when it is in its rosette form) having acquired the Environment Agency's prior approval in writing. · Remove Giant Hogweed flowers before seeding.	Annually	June/July
			April/May
			As found
<b>Arisings</b>	Deposit off-site	As required	

## Reedbeds

Prescription		Frequency	When
<b>Cut</b>	Using manual tools, cut to a max height of 150mm above the water level	Annually	Sept
<b>Woody plant</b>	Check and remove any self-sown trees or other woody plant, including the roots		
<b>Arisings</b>	Leave on the side for 1 week to allow invertebrates to return to the water, then deposit off-site		

## Open water

Prescription		Frequency	When
<b>Clear water</b>	Remove plants as needed to maintain 40% of the area open water	Annually	Sept/Oct
<b>Break ice</b>	If water freezes, hit to crack the ice to deter people attempting to walk on it	When ice forms	As soon as identified
<b>Blue/Green or Red Algae</b>	If found, erect and maintain signs until it naturally disappears	As required	
<b>Barley straw</b>	Insert at recommended rates for the volume of water to keep water clear. Whole bails are acceptable, otherwise to be inserted into suitable plastic mesh.	Twice a year	Mar & Oct
	Remove all old applications before inserting new ones and dispose of off-site.	Annually	Oct

## Watercourses including drainage ditches

Prescription		Frequency	When
<b>Inspect</b>	Check all watercourses to ensure water flows freely through the central channel	Monthly	Every month
<b>Blockages</b>	Remove anything that impedes, or could impede flows and dispose of off-site		Immediately

## Inlets and outlets including ditches and drains

Prescription		Frequency	When
<b>Inspect</b>	Visually inspect	Daily	Daily
<b>Clear</b>	Clear all inlets, outlets, grills and associated chambers of vegetation and debris to allow water to flow freely and dispose of non-biodegradable waste off-site	Monthly	Each month
<b>Jet</b>	Jet all pipes/gullies	Annually	Anytime
<b>De-silt</b>	The base only, including pipes under pathways. Spread on the side for 72 hrs to allow invertebrates to return to the water, then spread evenly over surrounding area so as not to cause and issue to mowing.	Annually	Sept-Oct
<b>Re-shape</b>	Reshape sides and base. Spread on the side for 72 hrs to allow invertebrates to return to the water, then spread evenly over surrounding area so as not to cause and issue to mowing.	Every 5-10 years	

## Fountains

Prescription		Frequency	When
<b>Not working</b>	Switch off pump or contact someone who can.	If noticed whilst carrying out any maintenance on site	Immediately
<b>Foam</b>	Apply an anti-foaming agent to the water.		
<b>Winter closure</b>	Turn off and drain	Annually	Mid Nov –mid Mar
<b>Filters</b>	Clean	Weekly	When operating
<b>Water quality</b>	Test and treat if needed		
<b>Litter</b>	Remove all foreign items and dispose of off-site	3 x a week	



## Nesting swans

Prescription		Frequency	When
<b>Fence off</b>	Install a temporary fence around any nests to prevent dog disturbance; and remove when nest vacated	Annually	Anytime

## Canadian geese

If population is a human health concern or is causing damage to vegetation, lake banks or structures.

Prescription		Frequency	When
<b>Eggs</b>	Marked with a permeant pen to identify treated eggs. Then seal in a liquid paraffin and replaced back in the nest causing minimum disturbance to birds and public.	3 x a year	Mainly April
<b>Records</b>	Keep records of the number of nests and eggs treated		

## Fish

Prescription		Frequency	When
Fishing pegs	For safety, to be inspected annually by a RoSPA inspector and actions taken as recommended.	Annually	Anytime
Remove fish	Remove as many as feasible to prevent overstocking (which will occur naturally); and to prevent fish kill during dry weather when they may be insufficient oxygen in the water. Commercial removal is permitted by an approved licence holder.		Sept/Feb
Fishing	Only permitted at approved fishing pegs		
Stocking	Not permitted		

## Safety Buoys

Prescription		Frequency	When
<b>Install</b>	Install ONLY if recommended by a RoSPA inspection	Year 1	Anytime
<b>Check</b>	Replace if missing or until a RoSPA inspector advises otherwise.	Weekly	ASAP

## Pollution

Prescription		Frequency	When
<b>Reports</b>	Inspect and report to the Environment Agency	When reported	Immediately
<b>Respond</b>	As directed by the Environment Agency.	Weekly	ASAP

## Cleansing

### Leaf litter

Prescription		Frequency	When
<b>Grass areas</b>	Using mulching blades on mowers, mulch and spread evenly over the sward	6 x a year	Sept-Dec
<b>Paths</b>	Blow/sweep onto grass areas and treat as 'grass areas'		
<b>Play areas &amp; shrub/flower beds</b>	Collect and spread on grass, then treat as 'grass areas'.		
<b>Large deposits</b>	If impractical to mulch, collect and remove from site	Once	Nov (after last leave fall)

## Fly tipping, litter, dog fouling and graffiti

Prescription		Frequency	When
<b>Litter pick</b>	Pick entire area (exc. water bodies, woodland and ecological areas)	Weekly	Every week
<b>Events</b>	Litter pick entire area before and after	When an event is scheduled	
<b>Water bodies (inc. ditches)</b>	Remove all items found	Monthly	Every month
<b>Ecological areas</b>	i.e. bramble and nettle patches. Remove all non-biodegradable items	Annually	Nov-Feb
<b>Woodlands (inc spinneys)</b>	Deep cleanse. Walk through site and collect all litter	Annually	Nov-Feb
<b>Flood debris</b>	Under 'litter pick', remove all debris, including natural materials.	As required	When water has receded
<b>Glass (play areas)</b>	Remove	As reported	Same day
<b>Glass (elsewhere)</b>	Treat as 'litter pick'		
<b>Fly tip</b>	Fly tip is considered anything that would take 2 or more people to remove. Other items treat as 'litter pick'	As reported/seen by staff	Within 24 hrs
<b>Dog waste</b>	Remove		
<b>Drug paraphernalia</b>	Remove		Same day
<b>Graffiti</b>	Offensive: remove		Within 24 hrs
	All other (except stake park): remove		Within 5 working days
<b>Abandoned vehicles</b>	If not in an official parking bay, report to the Police		Same day
	Remove unless advised otherwise by Police	As required	Within 48hrs
<b>Guano</b>	Clean to prevent a build up	4 times a year	Every 3 months
<b>Chewing gum /sticky residues</b>			
<b>Arisings</b>	Remove from site	Each collection	Every time

## Litter bins/dog bins

Prescription		Frequency	When
<b>Empty</b>	Bins should never be more than 50% full. After each empty, insert a new plastic sack and relock the bin (if lockable).	3 x a week (or more if needed)	Weekly
<b>External clean</b>	Every time the bin is emptied wash the outside of the bin.		
<b>Litter pick</b>	Every visit, pick up any litter (regardless of type) within a 5 metre radius of the bin		
<b>Internal clean</b>	Wash and disinfect the inside using a jet washer	Annually  As required	Anytime
<b>Re-paint &amp; repair</b>	Repaint; and repair as necessary		
<b>Additional bins</b>	To be installed where there is found to be a particular problem.		

## Sweeping hard area – sealed surfaces

Prescription		Frequency	When
<b>Moss</b>	If present remove before sweeping	Monthly	Every month
<b>Sweep</b>	Sweep using machinery suitable for the location that will not damage the surface, adjacent planting, grass edges, trees or other structures		
<b>Arisings</b>	Disposed of off-site		

## Sweeping hard area – unbound surfaces

Prescription		Frequency	When
<b>Sweep</b>	Manually remove debris. Do not use machines or blowers	Monthly	Every month
<b>Arisings</b>	Disposed of off-site		

## Cleaning of benches and signs

Prescription		Frequency	When
<b>Wash</b>	Clean all benches and signs with water and a suitable detergent that will not cause surface damage	Twice a year	Every 6 months
<b>Replace</b>	Any that are lost, stolen, damaged or are illegible	As reported/seen by staff	Within a year

## Snow and ice

Prescription		Frequency	When
<b>Grit</b>	When predicted, spread grit at the manufactory's recommended rate on steps and slopes	When forecast	ASAP after forecast

## Dead animals

Prescription		Frequency	When
<b>Carcasses</b>	Remove and dispose of off-site	When reported	Within 24 hrs

## Children and Youth

### Play areas

Prescription		Frequency	When
<b>Inspect</b>	Recorded, visual inspection by a RPII qualified person	Weekly	Every week
	Recorded, operational inspections by a RPII qualified per	Monthly	Every month
	Independent RoSPA inspection and report	Annually	Before the anniversary of the last report
<b>Damage</b>	Make safe	As reported	Same day
	Repair	Every time	Within 2 month of report
<b>Records</b>	To be retained for 18 yrs		
<b>Dogs</b>	No permitted within fenced play area		



## Grass sports pitches

Prescription		Frequency	When
Mark out	Using a line to ensure lines are straight and true, mark out the pitch with white line marker when the grass is dry to prevent creep. Before marking, cut the grass to ensure it is no more than 25mm in height. Litter/ leaf pick prior to each marking	Annually	Last week of Aug
	Re-mark as needed during the football season	Generally fortnightly	Sept-May
Cut	Same as 'amenity grass'		
Fertilise	To maintain a good sward, apply a sports field fertiliser at the manufacturers rates (to the whole pitch)	Annually	Oct (in suitable weather conditions)
Slitting	Slit the pitch with an approved tractor mounted slitting machine, with tapered slit tines to a depth of at least 200m	5 times	Sept-May
Harrow	Chain harrow the pitch to assist evenness of the playing surface	3 times	
Roll	Roll with a light roller to level any divots	6 times	
Compaction	Lightly fork compacted areas to relief compaction i.e. in goal mouths.	Once	June-Aug
Re-seed	Apply an amenity grass mix (at the manufacturer's recommended rate) to any bare patches, lightly rake into the surface and water		May
Goal posts	To be left in situ		
Dog foul	Same as 'Fly tipping, Litter, dog foul and graffiti'		

## Basketball/Hard surface ball courts

Prescription		Frequency	When
<b>Inspect</b>	Same as 'play area'		
<b>Line markings</b>	Same as 'paths'		
<b>Sweep</b>	See 'Sweep hard surface – bound'		

## BMX tracks (grass)

Prescription		Frequency	When
<b>Inspect</b>	Same as 'play area'		
<b>Cut height</b>	Min 100mm, Max, 150mm	3 x a year	May, July, Sept
<b>Arisings</b>	Mulched and evenly spread over the sward		

## Stake parks (metal/concrete)

Prescription		Frequency	When
<b>Inspect</b>	Same a 'play area'		
<b>Graffiti</b>	Leave unless offensive in which case same 'Fly tipping, litter, dog foul and graffiti'.		

## Miscellaneous

### Pests (animals and insects)

Prescription		Frequency	When
<b>Serious damage</b>	To be controlled by an approved contractor holding the relevant licences; and damage repaired i.e. filling in of holes and scraps.	As reported	As required
<b>Moles</b>	Are accepted and to be left untreated unless causing damage to a formal sports pitch. Then the pitch is to be treated as 'serious damage'	No action required	
<b>Wasp nests</b>	Are acceptable as part of local biodiversity; and are to be left untreated (except play areas)		
	Next to a play area, nests are to be removed.	As reported/seen by staff	Within 48 hrs

### Notifiable tree pests and diseases

Prescription		Frequency	When
<b>Identification</b>	Train staff to identify	Annually	Anytime
<b>Monitor</b>	If found, or suspected, take photos and report to the Forestry Commission on-line via 'tree alert'	When reported/seen by staff	Within 24 hrs
<b>Manage</b>	Treat as recommended by Defra		

### Invasive species

Prescription		Frequency	When
<b>Zero tolerance</b>	Remove/treat as applicable following Defra guideline	When reported/seen by staff	Within 48 hrs
<b>Identification</b>	Train staff to identify	Annually	Anytime
<b>Monitor</b>	Map locations and revisit them to identify instances of re-occurrence; and re-treat as required.		

## Dogs

Prescription		Frequency	When
<b>Dogs</b>	To be kept under close control at all time	At all times	Continuously
<b>Dog foul</b>	The person responsible for the animal (when on site) must collect, and responsibly disposed, off it.		Immediately

## Not permitted

Prescription		Frequency	When
<b>Scattering of ashes/ interments</b>	No permitted	Anytime	
<b>Swimming</b>			
<b>Model boats</b>			
<b>Camping or rough sleeping</b>			
<b>Fires</b>			
<b>Metal detecting</b>			
<b>Flying of aircraft or drones, of any description.</b>			
<b>Fireworks</b>	Not permitted except approved, organised events.	At all times unless exception applies	
<b>BBQs</b>	Not permitted except in a designated area with purpose built, fixed, BBQs – except during sustained periods of dry weather when the risk of fires is higher		
<b>Mechanically propelled vehicles</b>	Not permitted, except mobility buggies operated by registered disabled visitors; and authorised maintenance vehicles		

## POS Scheme: tables to be completed

Prior to commencement, a Section 106 Agreement will require the submission of a POS Scheme for approval by WDC. This requires Tables 1, 2 and 3 to be completed.

**Table 1: Do the approved landscape plans provide the following detail?**

If the approved landscape plan (or plans) does not provide details on the items listed, an additional plan (or plans) will be required to identify, where and what has been, or will be, provided. Additional plans should be listed in Table 2.

<b>Site name and address:</b>	
<b>Planning application ref. no.:</b>	
<b>Approved landscape plan ref. no.:</b>	

Item	On the approved l/s plan? (Tick) <sup>2</sup>	Item	On the approved l/s plan? (Tick) <sup>1</sup>
1. Soil type (acid/alkaline/neutral)		2. Benches (location, manufacturer, make and model)	
3. Final site contours		4. Bins (location, manufacturer, make and model)	
5. Cross sections illustrating final site contours		6. Signs (location, manufacturer, make and model)	
7. Plant species, sizes and location (proposed and existing)		8. Water features (proposed and existing)	
9. Grass type (ornamental, amenity, meadow)		10. Fences (type, height and construction details)	
11. Play area (location, layout and equipment: manufacturer, make and models)		12. Informal sports facilities i.e. goal posts (location, type)	
13. Paths (type identified: footpath, cycleway, vehicular access track, width and construction details)		14. Bridges (location, type, construction details)	
15. Maintenance access points with dropped kerbs at the roadside		16. Anti-vehicular access measures (location, type and construction details)	
17. Raised beds (height, location, construction details)		18. Structures, i.e. pergolas, arbours, sculptures (type and construction details)	
19. Drainage features not relating to a SuD i.e. inlets, outlets, sluice gates, French drains, gullies (location and details).		20. Bollards/gates/height restrictors (location and type)	
21. Private easements (location and details)		22. Steps (location, construction details)	

<sup>2</sup>If not on the approved landscape plan, please insert 1,2,3 etc. and give details in Table 2.

<b>23.</b> Retaining structures (location, type, construction details)		<b>24.</b> Underground utilities (location, type, proposed, existing, redundant) 12.	
<b>25.</b> Man-made eco-habitats (location, type)		<b>26.</b> Lighting (location, manufacturer, make and model)	

**Table 2: List of additional plans**

<b>Site name and address:</b>	
<b>Planning application ref. no.:</b>	

Plan	Name of plan
1	
2	
3	
4	

**Table 3: Commuted maintenance sum**

Table 3 lists the features likely to be included in POS. It must be completed to inform the quantities being provided; enabling a commuted maintenance sum to be calculated. The Section 106 Agreement will require a commuted maintenance sum to be paid at the point the land is transferred to WDC for adoption.

If items are not listed in the table, they should be inserted at the end with details of what they cost the developer to provide and install. These costs will be used to assess a maintenance figure.

<b>Site name and address:</b>	
<b>Planning application ref. no.:</b>	

	Unit	Quantity
<b>Soft landscaping</b>		
<b>Existing trees</b>	No.	
<b>Existing pollarded trees</b>	No.	
<b>Newly planted trees</b>	No.	
<b>Existing native hedge</b>	Linear metre	
<b>New native hedge</b>	Linear metre	
<b>Ornamental and amenity hedge</b>	Linear metre	
<b>Amenity grass</b>	Metre squared	



<b>Ornamental grass</b>		Metre squared	
<b>Perennial meadow grass</b>		Metre squared	
<b>Tall herbage</b>		Metre squared	
<b>Bulbs in grass</b>		Metre squared	
<b>Shrubs beds</b>		Metre squared	
<b>Mixed herbaceous beds</b>		Metre squared	
<b>Free standing raised beds and planters</b>		Metre squared	
<b>Existing coppice</b>		Metre squared	
<b>Shelter belts</b>		Metre squared	
<b>Hard landscaping</b>			
<b>Paths (tarmac)</b>		Metre squared	
<b>Paths (granite)</b>		Metre squared	
<b>Fencing</b>	Post and Rail	Linear metre	
	Birds mouth (knee rail)	Linear metre	
	Metal hoop top	Linear metre	
<b>Steps</b>	Insitu concrete	Each	
	Precast Concrete Slab, $\leq 0.5\text{m}^2$	Each	
<b>Street furniture</b>			
<b>Benches</b>	Wood	No.	
	Metal	No.	
	Mixed (metal & wood)	No.	
<b>Gates</b>	Pedestrian	No.	
	Vehicular	No.	
<b>Cycle parking</b>	Single sided, 3 space unit	No.	
	Double sided, 6 space unit	No.	
<b>Signs (entrance, play area &amp; interpretation)</b>			No
<b>Bird boxes</b>			No

Light columns	see footnote 1	No.
Bollards (fixed)		No.
Bollards (retractable)		No.
Gabion cages		Metre squared
Bridges		No.
Retaining structures		Metre squared
Water bodies		
Buffer zone		Metre squared
Reed beds		Metre squared
Open water		Metre squared
Watercourse including drainage ditches		Linear metres
Inlets and outlets		No.
Fountains		No.
Safety buoys		No.
Cleansing		
Cleansing – site wide litter pick (exc. woodland		Metre squared
Cleaning – annual deep cleanse (woodland only)		Metre squared
Bins		No.
Sweep hard areas (bound)		Metre squared
Sweep hard areas (unbound)		Metre squared
Clean benches and signs		No.
Children/Youth		
Play area		No.
Grass sport pitch		Metre squared
Basketball/hard surface ball court		Metre squared
BMX track		Metre squared
Skate park		Metre squared

## Other items

List	Unit	Quantity	Cost to provide	Install

<sup>1</sup> Give costs for buying and installing below

## APPENDIX 2

# Design Guidance & Expectations

# Contents

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000	<b>POS QUANTUM</b>
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000	<b>DESIGN GUIDELINES</b>
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- 000 Arbours and pergolas
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- 000 **PLAY**
- 000 **SUDS**
- 000 **ALLOTMENTS**

## Introduction

This Design Guide provides guidance on Warwick District Council's (WDC) expectations for the provision of public open space (POS). It will become evident on reading that it forms guidance only; everything is potentially an exception to the rule and POS should be designed to work in harmony with the immediate environment and demands of the space. WDC does not wish to encourage rigid adherence and 'standardised' offerings. A few elements are however seen as more of a 'must' and these are highlighted in green for easy of identification. Landscape plans are less likely to be approved if not addressed.

## Pre-application advice

WDC's Green Space Team is available to provide pre-application advice and landscape architects/ developers are encouraged to discuss ideas and concepts before submitting POS and play area plans.

## Overriding design principles

The vision<sup>3</sup> for green space in Warwick District is:

By 2026 there will be a well-planned and managed network of integrated, accessible and diverse green space within Warwick district; creating a sustainable environment for the benefit of people, wildlife and our natural heritage.

Designs should reflect this vision; and be designed with the Green Flag Award<sup>4</sup> in mind, a national standard used by WDC to assess the quality and accessibility of green space.

**POS must be suitable and useable.** It is always recommended that green spaces and play provision are designed by a landscape architect and provide bespoke solutions to the development instead of an 'off the shelf' solution. The location and design of play areas should however comply with the Council's adopted Play Area Standard<sup>5</sup> (more details under 'play areas').

Well-designed spaces should be:

- Welcoming: entrances and signage work to draw people into the space
- Accessible: there are no barriers to prevent access to pedestrians, cyclists, and those with disabilities<sup>6</sup>
- Promoted: to ensure that interpretation and information is available to enhance the experience of those who use the space
- Safe: designed to enhance busyness and informal surveillance from outside the space to deter crime and vandalism
- Easy to navigate: through routes are suitably positioned and routes within the site promote access to all areas

<sup>3</sup> WDC's 'Green Space Strategy for Warwick District 2012-2026'

<sup>4</sup> More details on the Green Flag Award can be found on-line: <http://www.greenflagaward.org.uk/about-us/>

<sup>5</sup> Adopted by the WDC's Executive meeting in February 2012.

<sup>6</sup> The Fieldfare Trust promotes countryside access for disabled people and provides practical guidance in their publication 'A Good Practice Guide to Countryside Access for Disabled People. It is free to download online.



- Places to be active: sport and physical activity are encouraged
- Places to relax: shelter, shade and seating are available for people to enjoy being outdoors
- Well integrated into the surrounding environment
- Sustainable: designed to minimise impact on the natural environment and to adapt to climate change

## Connectivity

Green spaces within a development should connect to each other so that the entire development can be traversed seamlessly via green routes by pedestrians and cyclists.

Developments should pay special attention to their permeability of the site and how it connects to any neighbouring developments; whether established, in progress or due to come forward in the future. This permeability also needs to extend to the wider network of pedestrian routes, cycle routes and green spaces. Residents need to be able to access the extensive areas of POS throughout the district via safe and, where possible, green routes.

Pedestrian and cycle routes throughout the development should be integral to the design and provide sufficient green links to the surrounding area and existing areas of settlement. Any developments in more rural areas should involve discussions with Parish Councils so that they can provide support on the need for safe pedestrian and green links.

## Garden Towns, Villages and Suburbs

WDC follows the Garden City approach and developments should follow the key planning and design principals. These are not repeated in this appendix but are supported by this SPD. Details can be found in the Council's publication 'Garden Towns, Villages and Suburbs. A Prospectus for Warwick District Council. May 2012', which is available on-line.

## POS quantum

**Without exception** for commercial or industrial developments that will employ 100 or more full time equivalent staff, or for development of 11 or more dwellings, the applicant should clearly state, in metres squared, how much of the five POS typologies [specified in this SPD] will be provided on-site. The location and quantum of each should be clearly identified on a plan, noting SLOAP is excluded (see below).

For outline applications, it is accepted that it will not always be feasible to identify the exact location of the POS typologies. However indicative plans and an access and design statement should provide guidance and the required figures (in metres squared).

## SLOAP – space left over after planning

This SPD deals with five types of POS (typologies). It excludes SLOAP and other small areas of land such as roadside verges, which are not intended for specific use. They do however provide a visual amenity and should be carefully designed but they fall outside the definition of POS to which this guide applies.

## Phased developments

If a site is likely to be developed in phases and, or by more than one developer, a detailed site wide POS design is required for approval at the outset. This is to ensure a well-designed, joined up and cohesive POS offering.

The Section 106 Agreement for the site will require the submission of a POS Scheme [for the whole site] prior to commence and for it to be offered to WDC for adoption. For more details on a POS Scheme, please see Appendix 1.

### POS typologies – what you may expect to see

Below is a guide to what elements are anticipated within each of the POS typologies used in this SPD.

## Parks and Gardens

General heading	Description/per hectare
Feature –i.e. pond, sculpture, bandstand, toilets	One
Pathways	15% of paths to be tarmac, 3 metres wide (minimum)
Planted areas	20% of which: 50% shrubs 50% perennial
Grass	65% of which: 60% ornamental grass 25% amenity grass 15% meadow grass
Bulbs	5% (within the grass area)
Trees – heavy standards	20 no.
Ornamental hedging	400 metres
Native hedging	400 metres
Fencing – metal railings	400 metres
Bins (combined dog/litter)	12 no.
Seating	24 no.
Signage	1 no.
Bird boxes	5 no.
Gates (maintenance access)	2 no.
Water supply	2 no.

## Natural and semi-natural POS

General heading	Description/per hectare
Feature – i.e. natural pond	1 no.
Pathways	3% of paths to be tarmac, 2 metres wide (minimum)
Woodland spinney	30% of which 33% whips (600-1200mm) 67% half standards (or existing trees)
Grass	66% of which: 50% amenity grass 50% meadow grass
Drainage ditches	1%
Fencing – post and rail	500 metres
Native hedging	150 metres
Bins (combined dog/litter)	3 no.
Seating	1 no.
Signage	1 no.
Bird boxes	11 no.
Gates (maintenance access)	2 no.
Bird boxes	5 no.
Gates (maintenance access)	2 no.
Water supply	2 no.

## Amenity POS

General heading	Description/per hectare
Pathways	3% of paths to be tarmac, 2 metres wide (minimum)
Woodland spinney	15% (new supplied as whips 600-1200mm)
Grass	78% of which: 50% amenity grass 50% meadow grass
Shrubs	4%
Drainage ditches	1%
Fencing – post and rail	500 metres

<b>Native hedging</b>	150 metres
<b>Bins (combined dog/litter)</b>	1 no.
<b>Seating</b>	1 no.
<b>Signage</b>	1 no.
<b>Bird boxes</b>	5 no.
<b>Gates (maintenance access)</b>	2 no.
<b>Bird boxes</b>	5 no.
<b>Gates (maintenance access)</b>	2 no.
<b>Water supply</b>	2 no.

## Children/Youth

General heading	Description/per hectare
Infrastructure	
• Path	Tarmac
• Benches – contemporary design	4 no.
• Bins (combined dog/litter)	2 no.
• Ground modelling	
• Trees	12 no.
Play Features	
• Inclusive pod swing	1 no of each
• Inclusive rotating bowl	
• Cable/zip wire	
• Additional rotating action equipment	
• Climbing feature	
• Boulders	
• Youth shelter/social zone	
• Pre school/early years multi play unit	
• 5 aside goal posts (x 2)	
Safety Surfacing	

• Loose fill cushion fall or similar	30m <sup>2</sup> (approx.)
• Grass matting	30m <sup>2</sup> (approx.)

NB. Where space permits, a neighbourhood play area should include a MUGA, skate park and or BMX track.

## Allotments

General heading	Description/per hectare
Access road	Tarmac, 3 metres wide (min.), with turning head
Parking	Near site entrance. Ratio: 1 space per 3 plots.
Path	Tarmac, with tantalised wooden edging. Min width 1.7 metres
Perimeter fence	1.8 metres high, rabbit proof (if applicable)
Gates	Vehicular access gate x1
Pedestrian access gate (1.5 metres (min.) width between hanging and slam post) x1	500 metres
Signage	With contact details x1
Drainage	Ditch
Mains water stand pipe	1 for every 6 full size plots
Bin (combined dog/litter)	1 no.
Shed	1x 8ft x 6ft shed, with 210 litre water butt with a lid, on a stand / per plot
Compost bins	1x 300 litre, Black plastic / per plot
Secure cycle parking	Ratio: 1 stand per 3 plots

# Design guidelines



# Soft landscaping

## General

### Species selection

Details will emerge as plans progress but there are several key things that WDC will need to see in the final proposals that should be kept in mind from the outset.

Be sure to provide plenty of pollinator-friendly species in both public and private green spaces and within hedges (e.g. *Rhamnus cathartica*). This should include both early and late pollinators.

Plants should also be included that provide winter forage for birds.

Plants of local provenance should be UK sourced and grown to help control the spread of disease and native plants should be native to Warwick District, not other parts of the British Isles.

Warwickshire County Council has produced guidelines on the landscape characters of the District and tree and hedge species appropriate to them. These should be observed. Details can be found on Warwickshire County Council's website<sup>7</sup>.

### Soils and contours

Soil types and their ph, together with a site's final contours will influence species selection. Details are required with each landscape submission.

For ease and the safe operation of machinery, the gradient of grassed areas must not exceed 30°, preferably less than 15°.

### Establishment

To aid establishment, water retaining granules or gel should be applied to all planting areas. Bare rooted stock should be dipped in a water retaining dip and microrisal granules should be sprinkled on the roots of all plants. All products to be applied at the manufacturers specified rate.

### Mulch and mulch mats

All planting areas (except new hedges) should be mulched with untreated bark chip to a minimum depth of 75mm, taking care not to spread it against plant stems. Mulch mats should be used at the base of hedges to avoid the use of weed killer.

### Amenity Grass

Amenity grass should include turf weeds in the mix (e.g. small leaf clover, birdsfoot trefoil, dandelions, daisies, self-heal, etc.) - roughly 10% of the total seed mix. Do not use fertilizer or weed killer.

### Meadow Grass

Perennial species should be used to provide long term benefit instead of annuals that can provide an initial burst of colour (to potentially coincide with the development being completed) but which are not likely to return. If included, no more than 5% of the seed mix should be annuals.

<sup>7</sup> [www.warwickshire.gov.uk/landscapeguidelines](http://www.warwickshire.gov.uk/landscapeguidelines)

## Native hedges

Native hedges should be planted in double staggered rows at 5 plants per metre, 4 of which should be *Crataegus monogyna*. The fifth from a remaining mix of native plants (see list below), should include *Rhamnus cathartica*.

Whips should be planted with a cane and rabbit guard and/or by a rabbit proof fence on either side.

Native hedge species	
Hawthorn	<i>Crataegus monogyna</i>
Hazel	<i>Corylus avellana</i>
Field maple	<i>Acer campestre</i>
Purgng Buckthorn	<i>Rhamnus cathartica</i>
Dogwood	<i>Cornus sanguinea</i>
Holly	<i>Ilex aquifolium</i>
Wild privet	<i>Ligustrum vulgare</i>
Blackthorn	<i>Prunus spinosa</i>
Guelder rose	<i>Viburnum opulus</i>
Wayfaring tree	<i>Viburnum lantana</i>

## Trees

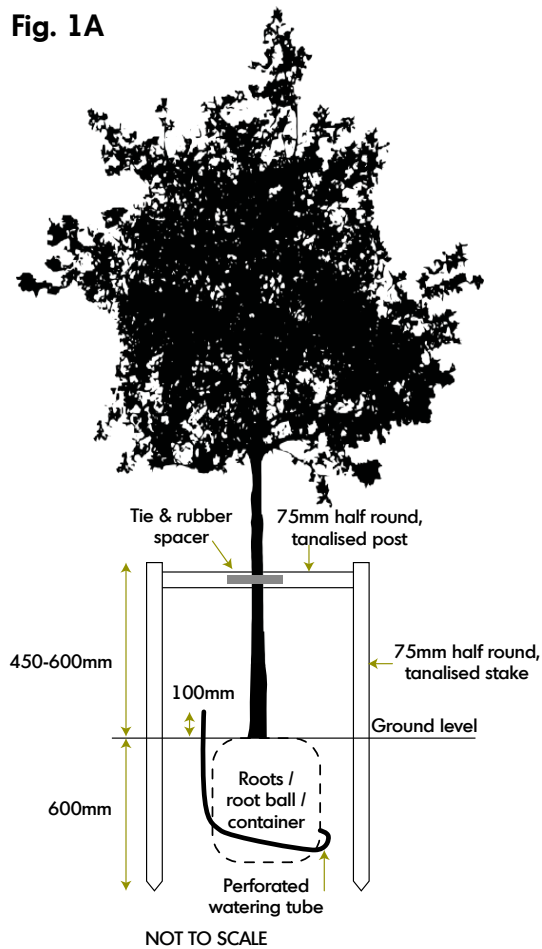
### Planting

Whips should have a cane and rabbit guard.

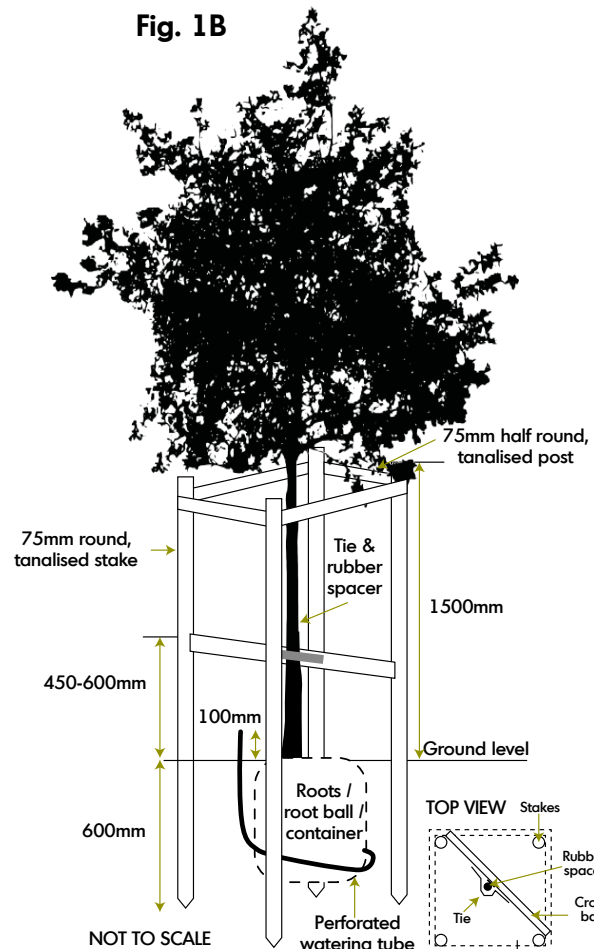
All standard trees should be fitted with a strim guard and staked (on the prevailing wind side) using either 2 (or 4), 75-100mm round tantalised, softwood stakes, fitted with a 75mm half round tantalised softwood cross bar at 450-600mm above ground level, with the tree attached to it with a rubber tree tie and spacer (diagram 1A). In areas of high footfall, 4, tall stakes should be used to deter vandalism (diagram 1B). All timber products should be FSC certified.

All standard trees should be planted with a perforated irrigation tube, which is fitted to encircle the circumference of the root plate. It should project no more than 10cm above ground level.

**Fig. 1A**



**Fig. 1B**



## Selection

Planting mixes and trees should be considered in light of how they change over the years. Longevity and maintenance must be a key consideration and not sacrificed for short-term aesthetic benefits to coincide with the sale of homes. Fifty percent should be native species (see 'specie selection'). The remaining 50% can be non-native but should wherever possible be beneficial to wildlife, for example flowering, fruiting or good for pollinators.

Due to current [2018] health issues, *Fraxinus* spp and *Aesculus* spp. are not supported.

The Trees and Design Action Group (TDGA) publication 'Tree Selection for Green Infrastructure: A Guide for Specifiers' 2018, provides guidance on selecting appropriate species for a range of constraining planting scenarios based on comprehensive research. It provides clear and robust information to specifiers to enable appropriate species selection and can be downloaded free of charge<sup>8</sup>.

Trees proposed next to dwellings should comply with BS-BS 5837:2012 ('Trees in relation to design, demolition and construction. Recommendations'), to help avoid issues of blocking light, damaging fences and giving rise to insurance claims. Oaks in particular should not be planted near to buildings and never closer than their ultimate canopy spread (c.40 metres), further on clay soils.

## Access for tree maintenance

For future maintenance, sufficient space needs to be allowed around a tree for a contractor to access it with machinery. This is especially important on boundaries when access may be limited by private, shared driveways, or on the borders of development sites where tall specimens are often used as visual buffers.

<sup>8</sup> <http://www.tdag.org.uk/species-selection-for-green-infrastructure.html>

## Trees and light columns

Species planted next to light columns should not affect the column's lux pattern when it reaches its natural mature height and spread.

## Raised beds

Raised beds are not encouraged because they are prone to drought and require a higher level of maintenance, particularly in prolonged periods of dry weather.

If proposed, a water reservoir should be incorporated and drought tolerant species used. A weed suppressing membrane is required and the bed is to be mulched with gravel to a depth of 50mm.

# Hard landscaping

## Paths

### Widths

Where possible, paths should be wide enough to accommodate both pedestrians and cyclists (3 metres or more) and have an open aspect. Even when not a designated cycle route, they will be used as such. Wider paths are acceptable, even welcomed and can be a real design feature. Wide, open sight lines can also make users feel safer and more comfortable.

Minimum usable, widths.

- **Footpath:** unenclosed: 2 metres (preferably 3 metres). Against a wall or fence: 2.5 metres. Enclosed: 3 metres
- **Unsegregated footpath/cycleway:** 3 metres (preferably 4 metres)
- **Segregated footpath/cycleway:** Footpath 2 metres, cycleway 3 metres.
- **Bridleway:** unenclosed 4 metres. Enclosed 5 metres.
- **Vehicular access:** 5 metres

### Drainage

To aid drainage, paths should have a slight camber/cross fall. It is acceptable for paths to drain onto adjoining areas of grass, even if it temporarily ponds because this can enhance an area's wildlife value. Due to maintenance, gullies and French drains are not favoured.

### Tarmac

Bituminous (tarmac) paths are the preferred surfacing option. Depending on ground conditions, a typical specification would consist of at least a 20mm surface course, 50mm binder course and 150mm Type 1, compacted sub base, over a permeable geotextile material. If the path is to be used occasionally by vehicles, for example for maintenance, the sub bases should increase to 225mm (minimum); and at access points, turning areas and vehicular drop off areas, where wear will be greater, the surface course should be increased to 50mm (minimum).

Tarmac is the preferred surfacing option and should be edged with concrete kerbs.

## Grey Granite

Alternatives to tarmac often become weedy or worn if not regularly maintained. Breedon type surfaces may look ascetically pleasing when first laid but require more regular maintenance to keep on top of weeds. The surface is often spoiled by surface run-off and wear and tear from cyclists and wildlife, and there are frequently issues with scatter, path 'dipping' and water pooling. The same applies when they are near to watercourses, with paths being washed away more easily. Repairing Breedon type surfaces also tends to be a lower priority when resources are limited as, whilst they end up looking untidy, they remain somewhat functional. That is not to say that there is no place for these types of path, but they need to be assessed according to the demands of the space. If a loose stone finish is favoured, WDC would prefer that Breeden gravel (or similar) is replaced by 3-5mm grey coloured granite, which has been found to be more durable. The compacted granite should be 75mm deep over a 150 mm compacted Type 1 subbase (or 225mm if used by vehicles), over a permeable geotextile material.

Instead of a concrete kerb, stone paths may be edged with tanalised timber with a minimum width of 25 mm.

## Flag stones, paviors, setts, cobbles, board walks and resin bound gravel

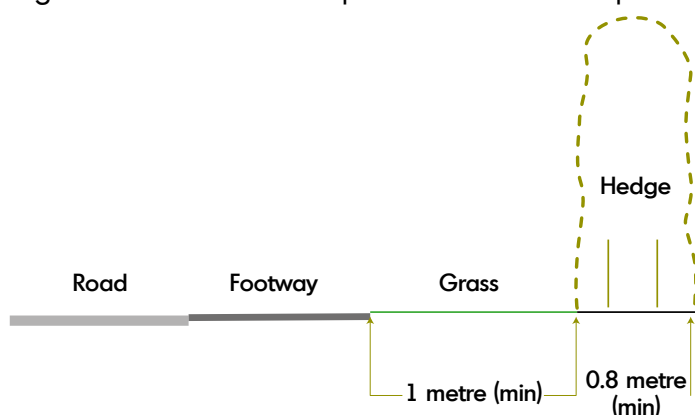
Other surface materials are not likely to be supported because they are not as sustainable and require a high, costly, level of maintenance.

## Root barriers

Root damage to paths is a serious concern, and a root barrier should be used to protect vulnerable sections.

## Vegetation alongside paths

Vegetation should not be planted too close to paths to avoid issues with overgrowth.



No thorny species should be placed within a metre of a path that could be used by cyclists (permitted or otherwise). Amenity and ornamental hedges should be set back from the edge of a footway or path by at least 1 metre and the verge laid down to amenity grass (see diagram). Native hedges should be off-set by at least 5 metres.

## Street furniture

### Bins (dual use for dog waste and litter)

All public litter bins should be a standardised size, unless the demands of the space override this consideration. 112L capacity is the preferred capacity due to optimisation of collection routes, frequency of collections and standardised liners. Bins are coloured green for POS installations, and black for highway. In rural areas, this style of bin may be less appropriate.

The details below are taken from WDC's current supplier, Wybone, in order to provide an example of what is required. However, the standards are fairly universal and the developer should approach suppliers as they see fit.

- MLB/112 – 112L galvanised steel litter bin cw laser cut base and stainless steel rod hinge
- PC6605 – Powder coated in RAL 6005 (Green)
- LID/S – Lid standard
- AP/ST/4 – 4 x apertures standard litter
- RETRO/AT/GLD – Easyfit ashtray top
- LC/LDW/GLD – Lasered LITTER & DOG WASTE in gold – all sides
- LOGO/V – vinyl logo – to state 'TAKE PRIDE IN WARWICK DISTRICT' finished in gold. Front & back only
- BAND2 – Dual banding gold – 1 to top & 1 to bottom
- LKS/LH – Lock style slam left hand fitted
- L1 – Square galvanised steel liner 2x handled to exterior (H: 634mm. W: 414mm. D: 415mm)

Bins should be dual use (for dog waste and litter) and installed:

- \* Next to every play area (1 bin for every 5 pieces of equipment) – off set by at least 2 metres from any equipment.
- \*Next to every bench/table or if grouped, 1 bin per 3 tables/benches – off set by at least 2 metres.
- \*At every entry point.
- \*As close as possible to adjacent hardstanding for ease of maintenance and to avoid ground damage in wet weather.
- \*Near to vehicular access points for ease of collection.

## **Benches and tables**

Stainless steel is preferred over wood for maintenance but if wood is favoured for site aesthetics, it should be FSC approved hardwood.

All benches and tables should be cast into the ground for security. Not bolted in at the base.

Tables and benches should be installed upon hardstanding to prevent ground damage and to allow them to be used all year round. When sited alongside hard surfaced paths, this surface should ideally flare out to provide the base (with rounded edges as opposed to right angled). For benches the hard standing should be able to accommodate a wheelchair, pushchair or similar alongside to avoid blocking the path; and tables designs should be able to accommodate a wheelchair user. Where furniture sits away from hardstanding, then a surface should be used that is appropriate to the setting.

Typically, there should be a bench every 100 metres.

In play areas, benches should have a back and an arm rail, with access provision for the disabled.



## Fencing

Fencing should be sturdy and easy to maintain. Bird mouth fencing (a knee high barrier) is a good all round choice. However, fencing, like street furniture, is very dependent upon on the aesthetics of the site and should always be designed with this in mind.

If post and rail fencing is intended to keep the public out of certain areas, such as wildlife sensitive areas, the fence should be 1.3 metres high, with horse netting attached to the side facing the publicly accessible area. The mesh of the horse netting should be 50mm x 100mm. All timber products should be FSC certified.

Fencing of allotments is considered under 'Allotments'.

Barbed wire must not be used unless required to control livestock; and then only when a line of smooth wire is attached opposite it, on the inside side of the post (on the park side).

## Signage

### Play areas

All play areas must be signed with the site name and details of who maintains it so that damage and accidents can be reported. A site address/postcode will also help an emergency vehicle locate the site (if needed).

If and when a play area is transferred to WDC, the play area sign will need to be replaced.

Upright signage is more appropriate for welcome signs or play area information; and the 2018 specification for this type is:

- Size: 595x420mm landscape
- Material: 4mm heavy duty white plastic – needs graffiti-proof coating
- Print: full colour to face
- Finish: supply with fixings to rear and metal posts (long enough for sign to sit at 1.6m high)
- Post colour should be a mid-grey (RAL 9023, 9022 or 9007; whichever is available from your supplier).



This is a sample image of a 2018 sign, noting the site name would need to be changed and the phone number updated to 01926 356128.

### Important

In 2019, WDC will be reviewing its POS signage; and contact should be made before ordering signs to check current specifications.

## Information or interpretation boards

Where an information or interpretation board is proposed, an angled sign is normally most appropriate. The specifications for this type of sign is:

- Aluminium display tray and frame fixed to 70mm square galvanized steel frame with 50mm cross bar
- Graphics fitted within display frame secured in place with stainless steel tamperproof security screws
- Powder coated in standard RAL colour to finish
- Leading edge 700 mm from ground level, extending 600mm below ground
- Display angled at 30°
- A1 size display: 841mm x 594mm
- Display graphics embedded in 3mm GRP (Glass Reinforced Plastic); high quality vandal and UV fade resistant for 5 years
- RAL colour should be a judgement call (approved by WDC) based on the setting and what is available from your suppliers, but a standard black finish is always a very good option (e.g. 9005: Jet Black or 9017: Traffic Black)

When installed the sign should face the item being described so that the reader can see/refer to the feature whilst reading.

## Welcome to signs

For larger areas of POS, for example where a user would lose sight of a public road and/or there are a variety of paths to take, a 'welcome to' sign, featuring a site map will help to install user confidence, showing them where they can go, and what they can potentially see or do. The map should clearly show the names of the roads adjoining the site, so that users who wish to, or need to, ring for assistance can advise others where to find them. This is particularly important for visitors less familiar with the general. For a specification, see 'play area signs', observing the important note.

'Welcome to' signs are recommended for larger sites at main entrance points.

## Gap, Gate, Stiles

In consideration of the Equality Act and 'British Standard 5709:2018 for Gaps, Gates and Stiles', stiles are not permitted.

For pedestrian access, a gap (minimum width of 1.2 metres) is the first preference, followed by a BS compliant swing gate (minimum width of 1.2 between hanging and slam posts), then a BS compliant kissing gate.

For gates, shear nuts must be used to deter theft and to stop gates being lifted off their hinges, the top hinge pin should point down, with the bottom hinge pin facing up.

## Lighting

Lighting within areas of POS should be sustainable and consider the effects on wildlife and the usability of the space. Innovative solutions such as solar power, motion sensors and low level

up-lighting to mark out paths should be considered.

## Arbours and pergolas

These are not generally supported due to high levels of maintenance. If proposed, it should be demonstrated that the structure is low maintenance, robust and resistant to vandalism.

# Vehicles

## Access – for maintenance

Secured, vehicular access points are required for maintenance vehicles. At the roadside, barriers must be set back from the edge of the carriageway by at least 6 metres (or otherwise approved by the Highway Authority in writing); and open away from the carriageway. Barriers to have a clear minimum width of 4.5 metres (15ft) between hanging and slam posts, or when bollards are lowered (see bollards for more details).

For gates, a self-latching stop post is needed. Shear nuts must be used to deter theft and to stop gates being lifted off their hinges, the top hinge pin should point down, with the bottom hinge pin facing up. Anti-tamper proof locks should be used.

Access points should have a suitable hard surface.

Landscape plans must detail maintenance access points with dropped kerbs at the roadside.

## Unauthorised vehicles

All POS should be sympathetically designed to prevent unauthorised vehicular access, without detracting from the visual amenity of the space. This could include for example, natural earth contouring, planting beds, hedging, fencing, bollards, boulders or a combination.

Landscape plans must detail what anti-vehicle measures will be used.

## Bollards

Bollards should either be metal or FSC approved hardwood. Decisions should be informed by site aesthetic. Metal bollards should not necessarily be traditional cast iron.

Bollards should be:

- 900mm high (above ground), with 450mm (minimum) below ground,
- Concreted in place,
- Spaced at 1.5 metre intervals,
- fitted with reflectors when they cross a path, and;
- at the junction with another path, for example a roadside footway, be set back 5 metres from the junction.

Telescopic retractable bollards must be used at maintenance access point (not ones that are laid over).

## Height barriers

Designed to suit the site aesthetic and other on-site furniture, height barriers should be:

- galvanised steel,
- 2.1 metres high (clear headroom),
- openable with a key lock pad,
- clearly signed with contact details for opening/closing,
- fitted with an integral handle for opening/closing, and;
- be set back at least 6 metres from the edge of a carriageway unless otherwise approved by the Highway Authority.

## Cycle parking

WDC's 'Vehicle Parking Standards Supplementary Planning Document' provides details on the design, layout and siting of cycle parking.

In summary, the use of the Sheffield type stand which allows the frame and both wheels to be secured is recommended as a minimum. An area of 1 square metre should be allowed per stand and a minimum distance of 1 metre should be maintained per stand.

For full details please refer to the above SPD.

A minimum of 3 cycle stands per play area or BMX track is required.

## Car parking

WDC's 'Vehicle Parking Standards Supplementary Planning Document' provides details on the design, layout and siting of car parking.

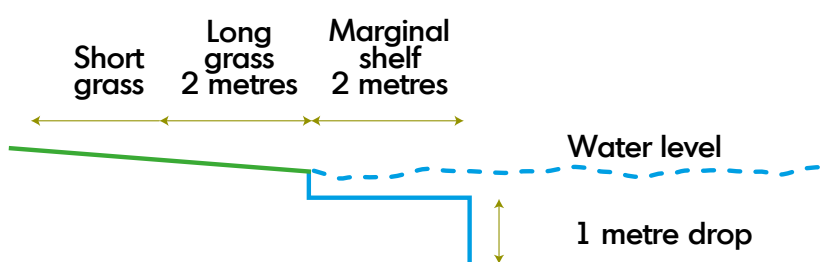
In summary, car park spaces should measure a minimum of 2.4 metres x 4.8 metres. Spaces alongside a wall, fence or boundary should be 3 metres wide and spaces between such features should be 3.5 metres wide. Spaces for people with disabilities should be an additional 1.2 metres wide and long; and should be marked with the British Standard 'Disabled' symbol.

For full details please refer to the above SPD.

Parking bays must comply with WDC's Vehicular Parking Standards SPD.

## Waterbodies

Water is important for wildlife. It is also highly valued by the public and is encouraged.



For open bodies of water, there should be a 2-3 metre wide ledge for marginal plants, then a 1 metre drop to prevent them spreading into open water. Around the perimeter, 2 metres of grass should

be permitted to grow tall to deter people accessing the water. The tall grass could be a wildflower meadow mix.

Until established, a chicken wire fence may be required around the marginal planting to deter wildfowl pulling it up.

A similar 2 metre wide corridor of tall grass should be allowed alongside water courses, to control access and reduce wildlife disturbance. They make excellent wildlife corridors.

## Constructed eco habitats

A range of eco habitats suitable for the location are actively encouraged. For example but not exclusively, bird and bat boxes, otter holts and wood piles for hedgehogs and other insects. Wood piles should be partially buried/grassed over to deter human disturbance.

### Bird boxes

Bird boxes should only be attached to existing mature trees; and be of a type suitable for the species that you wish to support, i.e. robins, tits, sparrow or owls. The species and box design will guide where and how close they should be installed to one another and how many can be accommodated on site. The developer's ecological report should provide guidance.

### Bat boxes

Due to licence restriction on handling, only non-openable bat boxes should be installed.

## Play

Pre-application discussion is encouraged with WDC's Green Space Team to select what is appropriate for the site.

Play areas should comply with WDC's adopted Play Area Standard ('PAS'). Namely in urban areas,

- **Access** – There is a play area within 480 metres of every home in Warwick District
- **Quality** – That play areas are designed to be as safe and inclusive as possible to access and use and to be of high play value.
- **Area** – that an area of at least 0.3 hectares per 1000 population is provided for play areas on new residential developments.

The access standard is self-explanatory and the area quantum is included in this SPD. In rural areas, it is acknowledged that the access standard may need to be more flexible.

To achieve the quality standard, there is a need to apply the following five principles to the location and design of play areas:

- Play areas should be located where there is good natural surveillance from the street and neighbouring houses.
- Play areas should be located on accessible green space where feasible and include elements of natural and free play.
- A buffer zone should be provided around play areas.
- All play areas should be designed to be inclusive for children and young people with disabilities.

- Play areas should be designed using Play England's 10 principles for designing successful play space<sup>9</sup>, which has been adopted by the Council.

Play areas and green spaces need to be designed in conjunction with a landscape architect. They should be unique, designed for the area, and should avoid off the shelf solutions.

The PAS sets out that new play areas on new developments should be within, or adjacent to accessible green space and have a minimum size of 400m<sup>2</sup>, catering for children up to 14 years. It further aims to retain and enhance a network of 'Destination Play Zones' with a minimum size of 1000m<sup>2</sup> that cater for young people up to 18 and should include at least one of the following: a Multi Use Games Area (MUGA) skate park, BMX track or other sports facility in addition to play equipment.

Play equipment should be at least 20 metres from the nearest property; and 30 metres for a MUGA, skate park, BMX track or other sports facility.

Play areas catering for all age groups may need separation of younger and older ages groups. This could be through fencing or natural features such as mounds and sensory planting, both of which can add to the play offering. Plant species should not be poisonous and grassy mounds should be 1:3 to create a challenge to run up and down. A 1.5 metre wide mown path should be provided around the base of the mound; and up, over and through it to guide play. These areas will be susceptible to erosion and wear and tear, consequently they should be reinforced. Fencing will be required if a play area is near a road or other obvious safety concern i.e. a car parks or sub station.

In general the play offering should include a climbing feature, rotating element, a swing and slide designed to encourage imaginative and inclusive play.

Play surfacing should comply with British Standard 7188 and the European standard EN1177 – Impact Absorbing Playground Surfacing.

Outdoor Gym equipment should also be provided where possible as this encourages adults and youths to exercise, these should not be installed close to children's playgrounds. Signage should be clear and show the user the correct way in using the equipment.

The equipment material should enhance the existing environment and should be looked at on a site by site basis. When timber is used, it should be from a sustainable source and utilise galvanised steel supports to increase longevity and make replacement easier

Independent safety checks and risk assessments will need to be carried out and reports given to WDC; and if a play area is to be adopted by WDC, warranties and guarantees will need to be transferred to WDC.

Play areas will also require benches, signs, cycle stands and bins – for further information, please see the relevant sections.

## SuDS

SuDS need to be designed according to the latest CIRIA guidance, with special attention given to pond and wetland design, and upstream pre-treatment (chapter 23); they should also be a useable feature of the POS. That is, they should bring amenity, landscaping and biodiversity benefits as well as the technical elements required. As a general rule, it is preferred that SuDS feature permanent water instead of being a damp hollow; landscaped (vegetated) instead of 'hard' SuDS. This can help to bring the benefits noted above as well as generally being easier to maintain. SuDS should also interface well with the surrounding space. For example; pathways running the perimeter of ponds to allow

<sup>9</sup>Design for Play. A guide to creating successful play spaces' Play England, June 2008'

people to interact with the feature, appropriate gradients and beaches to allow for safe access, well landscaped edges instead of fencing to provide safety, etc.

Vegetation planting around SuDS features should pay special attention to the aggressiveness of particular species and how that will interact with the design of the basin. For example, bulrushes can quickly colonise a pond without proper maintenance and reduce the efficiency of the feature. Using marginal shelves within the SuDS design can address this issue.

A full SuDS maintenance programme and set of lifecycle costs will need to be provided, and the costs should be linked to the management programme.

Silt traps and appropriate maintenance access should be provided to facilitate ongoing maintenance and reduce costs.

## Allotments

Developments of 100 or more dwellings need to provide allotments on-site.

Allotments are usually managed by Parish or Town Councils (or allotment associations on their behalf) and it is recommended they are consulted before submitting a planning application to discuss provision, local demands and design preferences, i.e full, half or quarter size plots. The results of these consultations should be included in the application; particularly if it is proposed that an off-site financial contribution is made instead. If an off-site contribution is proposed, it will need to be evidenced that this is acceptable and supported by the relevant Parish or Town Council, or local allotment association(s).

They should not be sited in areas prone to waterlogging or flooding, or in areas shaded by trees or buildings. The soil should be of good quality, suitable for food production. A main water supply is a must. The style of the site will depend very much on the particular nature and aesthetics of the site but allotments should be protected with fencing without being intrusive. Paladin (not palisade) fencing may be appropriate, along with hedgerows and other visual cover. If fencing is used, it may need to be sunk into the ground to deter wildlife (i.e. rabbits). Access paths will be required along with parking for cars and bicycles.

To avoid the area becoming visually unkempt, each plot should be provided with a 6ft x 8ft shed and connected water butt that rests on a stand to allow a watering to fit under the tap. A secure, larger communal building is also recommended for storing larger items of machinery, along with a large, three bay composting facility. A community orchard could also be considered as part of the offering.



## APPENDIX 3

# Indicative Cost Schedule

## Commuted Maintenance Sum

The prices below are for guidance only and are based on maintaining the features listed in Appendix 2 under 'POS typologies, what you may expect to see' (and used in the 'Developer contribution' tables below).

A site specific commuted maintenance sum will be calculated in accordance with the Section 106 Agreement when the POS is ready for adoption and the quantities and features within, are confirmed.

## Twenty year commuted maintenance sum for the period 2018-2038 (guide price only)

POS typology	£/m2
Parks and Gardens	43
Natural and Semi-Natural	21
Amenity	20
Allotments	6
POS typology	£/play area
Children/Youth	£200K
SuD	£/attenuation
SuD within POS	£156K

### NOTES:

- (1) Prices are indicative only and are rounded up to the nearest full pound or thousand.
- (2) The guide price includes the 28% management fee specified in the Section 106 Agreement.
- (3) SuD price based on a permanent wet SuD with inlet, outlet and header walls

## Developer contributions for commuted payments for new provision/enhancement of POS and 20 years maintenance

### Provision rates – summary notes

The following figures give the commuted sum rates for enhancement of existing POS and provision of new POS within Warwick District including a maintenance payment for 20 years. They are based on the 2018 rates (to be updated annually in line with RPI indexation) for laying out a new POS, as appropriate by category and its associated maintenance. They are calculated by multiplying the provision standards in this SPD by the cost of laying out and maintaining per hectare (Ha). New provision includes a land value of £21K per hectare, as an additional cost for providing the facility, but otherwise is identical to the cost of enhancement<sup>1</sup>

An uplift of 10% to cover the delivery and management of enhancement and new provision projects will be included in line with the Landscape Institute's guidance.

## Cost per dwelling size

Prices are based on a cost per person, rounded up to the nearest pound.

### Abbreviations:

**P&G** Parks and Gardens

**N&SN** Natural and Semi-Natural

**A** Amenity

**C&Y** Children and Youths

**Allot** Allotments

### Dwelling size: 1 bedroom or more

Rate per 1.5 person	Type of POS							
	P&G	N&SN	A	C&Y	Allot	Sub total	Multiplier	Total
<b>Provision type</b>	£	£	£	£	£	£		£
<b>Enhance</b>	£1,334	£563	£248	£27	£60	£2,232	X 1.5	£3,348
<b>New provision</b>	£1,374	£603	£267	£33	£69	£2,346	X 1.5	£3,519

### Dwelling size: 2 bedrooms or more

Rate per 1 person	Type of POS							
	P&G	N&SN	A	C&Y	Allot	Sub total	Multiplier	Total
<b>Provision type</b>	£	£	£	£	£	£		£
<b>Enhance</b>	£1,334	£563	£248	£27	£60	£2,232	X 1	£2,232
<b>New provision</b>	£1,374	£603	£267	£33	£69	£2,346	X 1	£2,346

Note: Site over 100 dwellings will be required to provide a further amount specifically for allotments of 0.42 hectare per 1000 head of population. Such developments will be required to pay a further amount of £63 per person to enhance and £72 per person for new provision (multiplied by 1.5 for one bedroom dwellings).

## Developer Contributions for New Provision/Enhancement of Open Space with 20 years maintenance

### Parks and Gardens

General heading	Description	Rate	Unit	Measure/ Ha*	Cost /Ha
<b>Preparation</b>	Clear virgin ground including drainage	£0.78	Sq m	10000	£7,750.00
<b>Pathways</b>	Provide and install 7.5% Tarmac pathways (250m(l) x 3 m(w))	£30.00	Sq m	750	£22,500.00
	Provide and install concrete kerbs to tarmac pathways	£43.00	Lin m	250	£10,750.00
<b>Planted areas</b>	Planted areas at 14%		Sq m	1400	
<b>Shrubs</b>	Supply 50% of 14% as shrubs	£34.10	Sq m	700	£23,870.00
	Cultivate and plant shrubs	£4.32	Sq m	700	£3,027.15
<b>Perennial</b>	Supply 50% of 14% as perennial planting	£31.00	Sq m	700	£21,700.00
	Cultivate and plant perennials	£4.56	Sq m	700	£3,189.90
<b>Grass</b>	Grass areas at 75%		Sq m	7500	
	Provide 42% of 75% as amenity meadow grass		Sq m	3150	
	Provide 16% of 75% as ornamental grass		Sq m	1200	
	Supply and sow grass seed with fertiliser	£0.99	Sq m	4350	£4,315.20
	Provide 42% of 75% as meadow grass		Sq m	3150	
	Supply, prepare and sow meadow grass seed	£1.26	Sq m	975	£1,224.11
	Supply and plant bulbs 10% of 75%	£15.50	Sq m	750	£11,625.00
<b>Trees</b>	Supply trees	£155.00	Nr	20	£3,100.00
	Plant trees with 4 ft stakes	£77.50	Nr	20	£1,550.00
<b>Features</b>	Cost of feature eg ponds, bandstand, toilets etc.	£77,500.00	Nr	1	£77,500.00
<b>Hedging</b>	Provide hedging (5 plants/ metre, double staggered rows)	£2.75	Lin m	600	£1,650.00
	Clear debris, cultivate soil and plant ornamental	£31	Lin m	600	£18,600.00

General heading	Description	Rate	Unit	Measure/ Ha*	Cost /Ha
<b>Fencing</b>	Temporary stock fencing whilst hedge establishing	£15.17	Lin m	600	£9,104.70
	Hoop top metal railing	£85.00	Lr m	200	£17,000.00
<b>Signage</b>	Descriptive sign with graphics and local info	£1,000.00	Nr	1	£1,000.00
<b>Seating</b>	Supply benches	£500.00	Nr	7	£3,500.00
	Install the above benches	£240.25	Nr	7	£1,681.75
<b>Bins</b>	Supply bins	£210.00	Nr	7	£1,470.00
	Install the above bins	£50.00	Nr	7	£350.00
<b>Bird and bat boxes</b>	Supply and install boxes	£46.50	Nr	5	£232.50
<b>Gates</b>	Supply gates	£300.00	Nr	2	£600.00
	Install gates	£240.25	Nr	2	£480.50
<b>Water supply</b>	Supply and install	£1,550.00	Nr	2	£3,100.00

**(A) Total cost of providing a hectare of Parks and Gardens £250,870.51**

(B) Number of hectares of Parks and Gardens required per 1,000 population	1.9
(C) Total cost of providing Parks and Gardens per 1,000 population [AxB]	£467,654.54
(D) 10% project management fee (10% of C)	£47,665.45
(E) 20 year maintenance cost [maint. £ per ha x B]	£809,641.57
(F) Total cost of providing and maintaining Parks and Gardens per 1000 population [C+D+E]	£1,333,963.47

**(G) Rate per person (to enhance existing land & maintain for 20 years) [F/1000] £1,333.96**

(H) Land cost per hectare	£21,000.00
(I) Land cost to provide Parks and Gardens per 1,000 population [HxB]	£39,900.00
(J) Land cost per person [I/1000]	£39.90

**(K) Rate per person (to provide new provision & maintain for 20 years)[G+J] £1,373.86**

## Natural and Semi Natural Greenspace

General heading	Description	Rate	Unit	Measure/ Ha*	Cost /Ha
<b>Preparation</b>	Clear virgin ground including drainage	£0.78	sq m	10000	£7,750.00
<b>Pathways</b>	Provide and install 2.5mx150m wide tarmac pathways 3.75%	£30.00	sq m	375	£11,250.00
	Provide and install concrete kerbs to tarmac pathways	£43.00	lin m	150	£6,450.00
<b>Drainage</b>	Drainage ditches	£1.55	lin m	100	£155.00
<b>Fencing</b>	Supply and install post and rail fencing	£46.50	lin m	100	£4,650.00
<b>Native Hedge</b>	Provide native hedging plants	£2.75	lin m	300	£825.00
	Clear debris, cultivate soil and plant native	£31	lin m	300	£9,300.00
	Temporary stock fencing whilst hedge establishing	£15.17	lin m	300	£4,552.35
<b>Woodland Spinney</b>	Woodland at 30%				
	Supply 33% tree 'whips' (600-1200mm)	£1.86	sq m	3000	£5,580.00
	Tree planting at 1m centres	£0.82	sq m	3000	£2,464.50
<b>Grass</b>	Grass at 85%			8500	
	Provide 50% of 85% as meadow grass				
	Supply, prep and sow meadow grass seed	£1.26	sq m	4250	£5,335.88
	Provide 50% of 86% as improved amenity grass				
	Supply, prep and sow amenity grass seed	£0.99	sq m	4250	£4,216.00
<b>Features</b>	Cost of pond or something similar etc.	£7,750.00	nr	1	£7,750.00
<b>Signage</b>	Information and interpretation board	£1,000.00		1	£1,000.00
<b>Seating</b>	Supply benches	£500.00	nr	2	£1,000.00
	Install the above benches	£240.25	nr	2	£480.50
<b>Bins</b>	Supply bins	£210.00	nr	2	£420.00

General heading	Description	Rate	Unit	Measure/ Ha*	Cost /Ha
	Install the above bins	£50.00	nr	2	£100.00
<b>Bird and bat boxes</b>	Supply and install bird boxes	£46.50	nr	5	£232.50
	Supply and install bat boxes	£46.50	nr	6	£279.00
<b>Gates</b>	Supply gates	£300.00	nr	2	£600.00
	Install gates	£240.25	nr	2	£480.50

**(A) Total cost of providing a hectare of Natural Greenspace** **£74,871.23**

(B) Number of hectares of Natural Greenspace required per 1000 population 1.9

(C) Total cost of providing Natural Greenspace per 1,000 population [AxB] £142,255.33

(D) 10% project management fee (10% of C) £14,225.53

(E) 20 year maintenance cost [maint. £ per ha x B] £406,551.51

(F) Total cost of providing and maintaining Natural Greenspace per 1000 population [C+D+E] £563,032.37

**(G) Rate per person (to enhance existing land & maintain for 20 years) [F/1000] £563.03**

(H) Land cost per hectare £21,000.00

(I) Land cost to provide Natural Greenspace per 1,000 population [HxB] £39,900.00

(J) Land cost per person [I/1000] £39.90

**(K) Rate per person (to provide new provision & maintain for 20 years) [G+J] £602.93**



## Amenity Greenspace /Green Corridors

General heading	Description	Rate	Unit	Measure/ Ha*	Cost /Ha
<b>Clearing</b>	Clear virgin ground	£0.78	sq m	10000	£7,750.00
<b>Pathways</b>	Provide and install 2.5mx150m wide tarmac pathways 3.75%	£30.00	sq m	375	£11,250.00
	Provide and install concrete kerbs to tarmac pathways	£43.00	lin m	150	£6,450.00
<b>Drainage</b>	Drainage ditches	£1.55	lin m	100	£155.00
<b>Woodland Spinney</b>	Woodland at 15%				
	Supply 15% tree 'whips' (600-1200mm)	£1.86	sq m	1500	£2,790.00
	Tree planting at 1m centres	£0.82	sq m	1500	£1,232.25
<b>Hedging</b>	Field hedge: supply	£2.75	lin m	200	£550.00
	Field hedge, clear debris, cultivate soil and plant hedging plants	£31.00	lin m	200	£6,200.00
<b>Shrubs</b>	Provide 4% as shrubs	£34.10	sq m	400	£13,640.00
	Cultivate plot and plant shrubs	£4.32	sq m	400	£1,729.80
<b>Grass</b>	Grass at 78%			7800	
	Provide 50% of 78% as meadow grass				
	Supply, prep and sow grass meadow seed	£1.26	sq m	3900	£4,896.45
	Provide 50% of 78% as improved amenity grass				
	Supply, prep and sow amenity meadow seed	£0.99	sq m	3900	£3,868.80
<b>Seating</b>	Supply benches	£400.00	nr	2	£800.00
	Install the above benches	£240.25	nr	2	£480.50
<b>Bird and bat boxes</b>	Supply and install boxes	£46.50	nr	5	£232.50
<b>Gates</b>	Supply gates	£300.00	nr	2	£600.00

General heading	Description	Rate	Unit	Measure/ Ha*	Cost /Ha
	Install gates	£240.25	nr	2	£480.50
<b>Fence</b>	Post and Rail	£46.50		100	£4,650.00
<b>Bins</b>	Supply bins	£210.00	nr	2	£420.00
	Install the above bins	£50.00	nr	2	£100.00

**(A) Total cost of providing a hectare of Natural Amenity** **£68,275.80**

(B) Number of hectares of Amenity Greenspace required per 1000 population 0.9

(C) Total cost of providing Amenity Greenspace per 1,000 population [AxB] £61,448.22

(D) 10% project managment fee (10% of C) £6,144.82

(E) 20 year maintenacne cost [maint. £ per ha x B] £180,001.99

(F) Total cost of providing and maintaining Natual Greenspace per 1000 population [C+D+E] £247,595.03

**(G) Rate per person (to enhance existing land & maintain for 20 years) [F/1000] £247.60**

(H) Land cost per hectare £21,000.00

(I) Land cost to provide Amenity Greenspace per 1,000 population [HxB] £18,900.00

(J) Land cost per person [I/1000] £18.90

**(K) Rate per person (to provide new provision & maintain for 20 years) [G+J] £266.50**

## Children & Young People

General heading	Description	Rate	Unit	Measure/ Ha*	Cost /Ha
	Supply and install the following: Supply rates include 17.5% VAT and carriage at 1.5%				
<b>Infrastructure</b>	Linked 1.5 m tarmac path	£45.00	m2	200	£9,000.00
	Concrete kerb edging to path	£43.20	lr m	200	£8,640.00
	4no contemporary benches	£1,472.50	nr	4	£5,890.00
	2no litter bins	260	nr	2	£520.00
	Ground modelling	£3,100.00	nr	1	£3,100.00
	Tree provision planting	£232.50	nr	12	£2,790.00
<b>Play features</b>	Inclusive pod swing	£6,200.00	nr	1	£6,200.00
	Inclusive rotating bowl	£8,176.25	nr	1	£8,176.25
	Cable way/zip line	£9,000.00	nr	1	£9,000.00
	Additional rotating action equipment	£4,650.00	nr	1	£4,650.00
	Climbing features	3100	nr	1	£3,100.00
	Boulders	310	nr	5	£1,550.00
	Youth shelter/social zone	£14,725.00	nr	1	£14,725.00
	Pre school/early years multi play unit	8000	nr	1	£8,000.00
	5 aside goal posts	£1,000.00	nr	1	£1,000.00
<b>Safety Surfacing</b>	Loosefill cushion fall or similar	£60.00	cu m	30	£1,800.00
	Grass matting	£29.00	sq m	30	£870.00

**(A) Total cost of providing an equipped area of play**

**£89,011.25**

(B) Rate required per 1000 population	0.3
(C) Total cost of providing an equipped are of play per 1,000 population [AxB]	£26,703.38
(D) 10% project managmenet fee (10% of C)	£2,670.34
(E) 20 year maintenacne cost [maint. £ per ha x B]	£60,088.14
(F) Total cost of providing and maintaining Natual Greenspace per 1000 population [C+D+E]	£89,461.85
<b>(G) Rate per person (to enhance existing land &amp; maintain for 20 years) [F/1000]</b>	<b>£247.60</b>
(H) Land cost per hectare	£21,000.00
(I) Land cost to an equipped area of play per 1,000 population [HxB]	£6,300.00
(J) Land cost per person [I/1000]	£6.30
<b>(K) Rate per person (to provide new provision &amp; maintain for 20 years) [G+J]</b>	<b>£33.00</b>

## Allotments

General heading	Description	Rate	Unit	Measure/ Ha*	Cost /Ha
<b>Road</b>	Hardcore road 3m wide	£31.00	sq m	648	£20,088.00
<b>Footpath</b>	Path: tanalised edging filled with hardcore 1m wide	£15.50	sq m	100	£1,550.00
<b>Fencing</b>	Supply and install 1.8m high galvanised palisade	£93.00	lin m	472	£43,896.00
<b>Gates</b>	Supply and install 1.8m galvanised palisade vehicle access gate	£1,250.00	nr	1	£1,250.00
	Supply and install 1.8m galvanised palisade pedestrian access gate	750	nr	1	£750.00
<b>Signage</b>	Site sign giving contact details	£1,000.00	nr	1	£1,000.00
<b>Drainage</b>	Drainage ditch	£0.51	lin m	136	£69.56
<b>Water</b>	Standpipes	£1,550.00	nr	8	£12,400.00
<b>Bins</b>	Supply bins	£210.00	nr	1	£210.00
	Install the above bins	£50.00	nr	1	£50.00

**(A) Total cost of providing a hectare of allotments**

**£81,263.56**

(B) Rate required per 1000 population 0.4

(C) Total cost of providing allotments per 1,000 population [AxB] £32,505.43

(D) 10% project managemenet fee (10% of C) £3,250.54

(E) 20 year maintenacne cost [maint. £ per ha x B] £24,531.21

(F) Total cost of providing and maintaining allotments per 1000 population [C+D+E] £60,287.18

**(G) Rate per person (to enhance existing land & maintain for 20 years) [F/1000] £60.29**

(H) Land cost per hectare £21,000.00

(I) Land cost to provide allotments per 1,000 population [HxB] £8,400.00

(J) Land cost per person [I/1000] £8.40

**(K) Rate per person (to provide new provision & maintain for 20 years) [G+J] £68.69**

## APPENDIX 4

# Template POS Section 106 Agreement Schedule

## Public Open Space Provisions

<b>Grounds Maintenance Contract</b>	means the contract between a provider of Grounds Maintenance Services and the Council
<b>Public Open Space Completion Certificate</b>	means a certificate issued by the Council to the effect that the public open spaces has been laid out in accordance with the public open spaces Scheme to the reasonable satisfaction of the Council and the issue of an public open spaces Completion Certificate shall commence the public open spaces Maintenance Period in respect of the whole or the part of the public open spaces to which the public open spaces Completion Certificate relates
<b>Public Open Space Final Certificate</b>	means a certificate issued by the Council which shall be conclusive evidence that the public open spaces has been properly maintained during the public open spaces Maintenance Period to the effect that the public open spaces is finally complete and any defects which have become manifest since the issue of the public open spaces Completion Certificate have been remedied and all outstanding works identified in the aforementioned Certificate have been completed together with, where applicable any outstanding works required by the ROSPA Final Inspection Report
<b>Public Open Space Maintenance Period</b>	means a period of at least 12 months commencing with the issue of the public open spaces Completion Certificate and ending with the issue of the public open spaces Final Certificate
<b>Public Open Space</b>	means the areas to be provided within the Application Site for public recreation and amenity space to meet the standards specified within Appendix B of the Council's Open Space Supplementary Document June 2009 or any successor or revised open space supplementary planning document in accordance with the public open spaces Scheme and any Reserved Matters Application and [for outline applications] provided in a location to be agreed in writing with the Council. OR [for full planning applications] to be provided in the location coloured blue for identification purposes on the Plan [ ] which are to be permanently retained and maintained as public open space to serve the Development
<b>Public Open Space Commuted Maintenance Sum</b>	means the sum that shall be paid by the Owner to the Council prior upon the public open spaces Transfer for the purposes of future maintenance of the public open spaces to be calculated in accordance with the formula set out in Part [ ] of the [ ] Schedule



<b>Public Open Space Scheme</b>	means a written detailed scheme: of works for the laying out and maintenance of the public open spaces to include (i) the design, specification and landscaping including any play equipment and associated equipment, boundary treatments (ii) the programme for the delivery of the public open spaces Works (iii) details of the maintenance programme that shall be implemented to repair and replace equipment, facilities or landscaping to be submitted to and approved in writing by the Council
<b>Public Open Space Works</b>	means the works to be carried out in accordance with the approved public open spaces Scheme
<b>Royal Society for the Prevention of Accidents (RoSPA) Report</b>	means a report and risk assessment issued by an independent qualified assessor and dated not more than 11 months prior to the date on which it is provided to the Council confirming the safety of all elements of the public open spaces including any SUDS, play area equipment and associated equipment on the public open spaces
<b>Royal Society for the Prevention of Accidents (RoSPA) Final Inspection Report</b>	means a report and risk assessment issued by an independent qualified assessor and dated no more than three months prior to the date on which it is provided to the Council confirming the safety of all elements of the public open spaces including any SUDS play area equipment and associated equipment on the public open spaces at the end of the public open spaces Maintenance Period

## **The Owners hereby covenant and undertake as follows:**

### **Public Open Space Delivery**

- 1.** Commencement of Development shall not take place until:
  - 1.1.** the Owners have submitted the public open spaces Scheme to the Council which for the avoidance of doubt shall be separate and additional to any landscaping scheme or any other scheme required to be submitted in accordance with a planning condition; and
  - 1.2.** the Council has approved the public open spaces Scheme in writing (such approval not to be unreasonably withheld or delayed)
- 2.** Prior to Occupation of 70% of the Dwellings the Owner shall complete the public open spaces to the reasonable satisfaction of the Council as evidenced by the public open spaces Completion Certificate.
- 3.** Upon the completion of the public open spaces Works the Owners shall notify the Council in writing
- 4.** 40 Working Days from receipt of the Notice served pursuant to paragraph 3 above the Council shall inspect the public open spaces Works and shall, if satisfied that the works have been carried out in strict accordance with the public open spaces Scheme and the Owner has provided to the Council a satisfactory ROSPA Report together with transferable guarantees and warranties relating to play area equipment and other associated equipment, issue the public open spaces Completion Certificate.
- 5.** In the event that the Council inspects the public open spaces Works and identifies necessary remedial works (which it will notify to the Owners in writing within 15 Working Days of the inspection having been carried out), the Owners shall carry out such remedial works to the reasonable satisfaction of the Council and send written Notice to the Council to re-inspect the public open spaces.
- 6.** The procedure set out in paragraphs 3, 4 and 5 shall be repeated in respect of the public open spaces Works until such time as the Council either;
  - 6.1** issues the public open spaces Completion Certificate or;
  - 6.2** fails to inspect the public open spaces Land within 40 Working Days of the receipt of a written Notice where proof of delivery to the Councils Head of Development Services can be provided, in which case the public open spaces Completion Certificate shall be deemed to have been issued 40 Working Days following receipt of the Notice or;
  - 6.3** fails to issue the public open spaces Completion Certificate within 40 Working Days of the inspection where no remedial works have been identified in which case the public open spaces Completion Certificate shall be deemed to have been issued 40 Working Days following the inspection

### **Public Open Space Maintenance**

- 7.** The Owner shall;
  - 7.1** maintain the public open spaces in strict accordance with the public open spaces Scheme until such time as the public open spaces is transferred to the Council and

- 7.2.** from the date the public open spaces Certificate of Practical Completion is issued or deemed issued allow free unrestricted use and access of the public open spaces for the general public at all times of the day and night PROVIDED THAT use and access maybe restricted in the following circumstances:
- 7.2.1** in the event of emergency such that access and use by the general public should be prevented by reasons of health and safety
- 7.2.2** in the event that any works to the public open spaces need to be undertaken which would necessitate, as a direct result of the said works, access and use by the general public being prevented PROVIDED THAT if any such closure is to last longer than 7 Working Days or for more than 10 Working Days in any 3 month period then the Owner shall first obtain the Council's prior written approval to the closure.
- 8.** The Owner shall notify the Council in writing at the end of the public open spaces Maintenance Period and invite the Council in writing to inspect the public open spaces with a view to issuing the public open spaces Final Certificate
- 9.** 40 Working Days from receipt of the Notice served pursuant to paragraph 8 above the Council shall inspect the public open spaces and shall, if satisfied that the public open spaces has been properly maintained during the public open spaces Maintenance Period and the Owner has provided to the Council a satisfactory ROSPA Final Inspection Report together with any transferable guarantees and warranties relating to play area equipment and other associated equipment not previously supplied to the Council shall issue the public open spaces Final Certificate.
- 10.** In the event that the Council inspects the public open spaces and identifies necessary works (which it will notify to the Owners within writing within 15 Working Days of the inspection being carried out) the Owners shall carry out remedial works to the reasonable satisfaction of the Council and send written Notice to the Council to re-inspect the public open spaces.
- 11.** The procedure set out in paragraphs 8, 9 and 10 shall be repeated in respect of the public open spaces until such time as the Council either
- 11.1** issues the public open spaces Final Certificate; or
- 11.2** fails to inspect the public open spaces within 40 Working Days of the receipt of a written Notice where proof of delivery to the Councils Head of Development Services can be provided in which case the public open spaces Final Certificate shall be deemed to have been issued 40 Working Days following receipt of the Notice; or
- 11.3** fails to issue the public open spaces Final Certificate within 40 Working Days of the inspection where no remedial works have been identified in which case the Public Open Space Final Certificate shall be deemed to have been issued 40 Working Days following the inspection.

### **Public Open Space Transfer**

- 12.** The Owner shall continue to maintain the public open spaces in accordance with the public open spaces Scheme and permit unrestricted public access in accordance with paragraph 7 above until its transfer

13. Prior to commencement of development the Owner shall offer to transfer the public open spaces Land to the Council on the terms set out in the [ ] Schedule hereto, such offer to be in writing, addressed to the Head of Development Services and served on the Council via recorded delivery ("the Offer"). For the avoidance of doubt the Owner shall pay the costs of the transfer of the public open spaces and the transfer will contain a covenant that the public open spaces shall not be used for anything other than amenity open space for the enjoyment of the general public and the Council shall confirm in whether it accepts the Offer within 40 Working Days of receipt of the Offer.
14. Where the Council confirms in writing that it does not accept the Offer the Owner shall elect to transfer the public open spaces to a management company.
15. Where the public open spaces is transferred to a management company under paragraph 14 above the management company shall be expected to meet the requirements set out at Appendix 1 of the Councils Open Space Supplementary Planning Document (or revised or successor document) and the Councils written approval shall be required before the transfer shall take place
16. On completion of the transfer of the public open spaces Land to the Council the Owners shall pay to the Council the public open spaces Commuted Maintenance Sum

#### **Formulae For Calculation Of Open Space Maintenance Sum**

15. The Open Space Maintenance Sum shall be calculated in accordance with the following formula:  
 - ((Rate x area in square metres\*) + 28% markup) x 20 years

\* or equivalent unit of measure

here:-

- 15.1 The Rate is based on the schedule of rates from the Council's Grounds Maintenance Contract current at the date of transfer,
- 15.2 28% mark up calculated on (rate x area in square metres) being the cost to the Council of the management of the Grounds Maintenance Contract

## [ ] SCHEDULE

### **Transfer Of The Open Space .**

The Owner shall transfer ownership of the public open spaces (excluding highway related land or engineering / land drainage functions of SUDS/ balancing ponds) to the Council in accordance with the requirements set out below:

The public open spaces is transferred with vacant possession free from any encumbrances on completion.

The Owner shall transfer with Full Title Guarantee.

The Owner shall ensure that the Council has the right to access the public open spaces from the public highway to enable the land to be maintained

The National Conditions of Sale (20th Edition) shall be deemed to be incorporated so far as they are not inconsistent with the provisions of these conditions.

Title should be deduced in accordance with the Land Registration Act 2002.

The purchase price is nil consideration.

In the transfer of the Open Space Land to the Council the Council will covenant with the transferor for themselves and their successors in title that the same will run with and bind the land into whosoever hands the same may pass:

Not to develop the Open Space Land or any part thereof for any purpose whosoever save for the erection of non commercial buildings ancillary to its recreational purposes to the intent that it shall remain in perpetuity as public open space for the enjoyment of the general public

To maintain the Open Space Land in reasonable condition to a reasonable standard and conforming to good horticultural practice.

## APPENDIX 5

# Public Open Space Calculation Examples

A development proposal is submitted to the Council for 100 dwellings. It is established that the 100 dwellings will be made up of the following (based on Housing Mix Guidance):-

50 x 3 - bed houses (50 x 3 = 150 residents)

30 x 2 - bed houses (30 x 2 = 60 residents)

15 x 2 - bed houses (15 X 2 = 30 residents)

5 x 1 - bed flats (5 x 1.5 = 8 residents)

**Total = 248 residents**

In accordance with the standards, the developer would therefore be expected to make provision for the following:

Total residents  $\frac{248 \times 5.47}{1000} = \mathbf{1.35 \text{ Ha}}$  (Overall requirement for open space).

Amenity Green Space  $1.35 \text{ Ha} \times 17\% = 0.24\text{Ha}$

Parks and Gardens  $1.35 \text{ Ha} \times 35\% = 0.47\text{Ha}$

Natural Areas  $1.35 \text{ Ha} \times 35\% = 0.47\text{Ha}$

Allotments  $1.35 \text{ Ha} \times 7\% = 0.09 \text{ Ha}$

Children's / youths  $1.35\text{Ha} \times 6\% = 0.08\text{Ha}$

However, it should be noted that the above requirements set the basis for negotiating appropriate on-site requirements. This would then be considered in the context of the site in question as well as current position in the locality of the intended development and an acceptable combination of sizes and types of provision would be negotiated.

## APPENDIX 6

# Minimum Area Size thresholds for Public Open Space to be adopted by The Council



The following table sets out examples of minimum area size standards for a variety of POS typologies. The District Council will not normally consider the formal adoption of POS that are not of the size stipulated in the table below. Should the calculations require a contribution less than the standards shown below it will require the developer to negotiate arrangements for an off-site contribution or financial contribution in lieu. The exception to this may be if the smaller area proposed is of particular merit (or is marginally below the standard) and the developer can satisfy the Council that maintenance (of an agreed standard / regime) will be undertaken in perpetuity and bound by a legal agreement.

Typology	Proposed Standard(Hectares)
<b>Parks and Gardens</b>	0.25
<b>Natural Areas including urban woodland</b>	0.25
<b>Amenity Greenspace (includes Green corridors)</b>	0.1
<b>Children's and Youth Areas</b>	0.18
<b>Allotments</b>	0.11

## APPENDIX 7

# Draft Management Plan

## Local Management Organisation Requirements for Public Open Space, Outdoor Sports Pitches and Play Areas

NOTE: It is the Council's strong preference that public open space, outdoor sports pitches and play areas on new developments continue to be adopted by the Council together with payment of a commuted sum.

The Council will only consider a local management organisation proposed by a developer if it meets the list of conditions set out below:.

- (i) in the event that a Management Company is to be constituted by the Owner then such Company shall provide that any profits are retained and applied to the maintenance and management of the Public Open Space and full details of the memorandum and articles of association shall be provided to the Council for the purposes of approval in advance of the transfer of the Public Open Space Land
- (ii) where a Management Company is proposed which is already in existence then details of its memorandum and articles of association shall be provided to the Council to demonstrate that any profits are to be retained and applied to the management and maintenance of the Public Open Space Land in advance of the transfer of the Public Open Space Land
- (iii) the Owner shall provide a method statement containing details of;
  - a. how capital funding for replacement items/unforeseen costs will be generated and;
  - b. how the Management Company will ensure that the standards of maintenance will be at least to the same standard as set out in the Public Open Space Scheme.
- (iv) Confirmation that a diminishing bond will be put in place prior to the transfer of the Public Open Space Land to cover the Council's costs of maintenance and management of the site together with appropriate rights of access in order to allow the Council to step in and carry out the necessary management and maintenance work. The step in rights and bond to be available for the Council to use and draw upon if standards delivered by the Management Company do not match those set out in the Public Open Space Scheme.
- (v) The Council's twice yearly inspection costs to be paid as a commuted sum for the first twenty years for monitoring the Management Company's maintenance standards.
- (vi) Confirmation that at no point will the service charges levied on residents increase the rents for affordable housing above 80% of the open market rents as published by the Home and Communities Agency (HCA) (or successor body), where affordable rents are in place.
- (vii) Confirmation that all public open space, outdoor sports pitches and play areas remain accessible and usable by the general public in perpetuity.
- (viii) If the Management Company goes in to administration or otherwise ceases to exist, confirmation that title deeds of all public open space, outdoor sports or play areas transfer at consideration of £1 to the Council as the provider of last resort and details of the mechanism by which this transfer shall take place.

## APPENDIX 8

# Template SuDS Section 106 Agreement

Typology	Proposed Standard(Hectares)
<b>"Foul/Surface Water Drainage and Sewerage"</b>	means the sewers and drains to be constructed or completed within the Application Site pursuant to the Planning Permission or such sewers and drains that may already exist at the time Planning Permission is granted;
<b>"SUDS"</b>	means visible surface water drainage measures/features which will be located within the Application Site and which shall include the following to serve the Application Site: (a) swales watercourses and ditches; (b) attenuation ponds and infiltration basins; (c) soakaways; but shall exclude (unless otherwise specified on any application for Reserved Matters) any such measures or features located within the curtilage of any Dwelling constructed on the Application Site;
<b>"SUDS Alternative Body"</b>	means any statutory water undertaker that is legally permitted to adopt or otherwise manage and maintain surface water drainage features and measures;
<b>"SUDS Commuted Sums"</b>	means a commuted sum for maintenance of the SUDS (for 20 years) determined in accordance with Paragraph 2.1.3 of Part 2 of this Schedule;
<b>"SUDS Completion Certificate"</b>	means a certificate issued by the Council which shall be conclusive evidence that the SUDS have been laid out in conformity with this Deed to the reasonable satisfaction of the Council and the issue of a SUDS Completion Certificate shall commence the SUDS Maintenance Period in respect of the whole or part of the SUDS to which the SUDS Completion Certificate relates;
<b>"SUDS Final Certificate"</b>	a certificate to be issued by the District Council which shall be conclusive evidence that the SUDS have been properly maintained during the SUDS Maintenance Period;
<b>"SUDS Land"</b>	means the land on which SUDS are to be located whose size and exact location shall be determined as a result of a Reserved Matters Application and whose exact size shall be approved pursuant to the SUDS Specification;

<p><b>"SUDS Maintenance Period"</b></p>	<p>means:</p> <ul style="list-style-type: none"> <li>(a) in the event the SUDS are to be transferred to the Council the period shall be 12 months from the date of the SUDS Completion Certificate or such longer period as a statutory water undertaker that is legally permitted to adopt or otherwise manage and maintain surface water drainage features may reasonably require whether or not the SUDS are transferred to that statutory undertaker; or</li> <li>(b) the period shall be 12 months from the date of the SUDS Completion Certificate or such longer period as a statutory water undertaker that is legally permitted to adopt or otherwise manage and maintain surface water drainage features may reasonably require whether or not the SUDS are transferred to that statutory undertaker; or</li> <li>(c) in the event the SUDS are to be transferred to a statutory water undertaker that is legally permitted to adopt or otherwise manage and maintain surface water drainage features and measures the period shall be up to 24 months from the date of the SUDS Completion Certificate or such shorter period as agreed by that statutory undertaker;</li> </ul>
<p><b>"SUDS Specification"</b></p>	<p>means a detailed specification to be prepared by or on behalf of the Owner by a suitably qualified and professionally approved person carrying appropriate professional indemnity insurance and which detailed specification shall include (where applicable):</p> <ul style="list-style-type: none"> <li>(a) Hydraulic calculations;</li> <li>(b) Details of control devices and flow control measures;</li> <li>(c) Geotechnical design criteria;</li> <li>(d) Permeability assessment;</li> <li>(e) Proposed design specification and landscaping and boundary treatments;</li> <li>(f) Life-saving equipment (e.g. lifebelts);</li> <li>(g) Warning and information signage;</li> <li>(h) Proposals to seek to minimise long term maintenance and a long term maintenance scheme ("the Maintenance Scheme"); and</li> <li>(i) Proposals to seek to maximise ecological benefit;</li> <li>(j) The exact location and dimensions of the SUDS;</li> <li>(k) A construction programme for the SUDS setting timings for commencement through to completion of the SUDS;</li> <li>(l) Both a ROSPA assessment/certificate and CDM designer's risk assessment evidencing that the SUDS can be operated safely;</li> <li>(m) Suitable Public Liability Insurance for the above</li> </ul>

**"SUDS Transfer"**

means a transfer by the Owner of the unencumbered freehold interest in the SUDS on terms to be agreed but which shall nevertheless:

- (a) include terms which would not restrict public access;
- (b) include terms which would not directly or indirectly affect the construction servicing or occupation of the part of the Application Site that is retained by the Owner;
- (c) include reservation of rights of access over the SUDS;
- (d) include the grant of any rights reasonably necessary for the proposed end use of any adjoining land;
- (e) include for the benefit of the SUDS the grant of any rights of access over any adjoining land which rights are reasonably required for the management and maintenance of the SUDS for its purpose for public open space, water attenuation and surface water drainage purposes;
- (f) be at consideration of £1;
- (g) include a covenant that the SUDS shall not be used for any purpose other than for public open space, water attenuation and surface water drainage purposes associated with the Development;
- (h) include obligations on the part of the transferee to maintain the SUDS in full accordance with the Maintenance Scheme comprising part of the SUDS Specification; and
- (i) include obligations on the part of the Owner to bear the reasonable legal and professional costs of the other parties to the transfer;

## Part 1

### PROVISION OF SUDS

The Owner and the Council covenant with each other as follows:

**1. Prior to Commencement of Development and as part of the Reserved Matters Applications the Owner shall submit to the Council in writing for approval the SUDS Specification**

**2. Development shall not Commence until the Council has approved the SUDS Specification by way of Reserved Matters Applications.**

**3. Prior to the Occupation of any Dwelling or use of any buildings (being buildings other than those forming part of a Dwelling) the Owner shall layout install and complete the relevant SUDS:**

3.1 to the reasonable satisfaction of the District Council as evidenced by the issuing of a SUDS Completion Certificate; and

3.2 in accordance with the approved SUDS Specification.

**4. Following completion of the SUDS:**

4.1 The Owner shall serve notice, which shall include a report and set of 'as built' drawings from an independent and suitably qualified person, on the Council inviting them to inspect the SUDS in question and to issue a SUDS Completion Certificate confirming that such works have been completed to the Council's reasonable satisfaction PROVIDED THAT in order that the notice served by the Owner shall be validly served it shall be accompanied by a ROSPA assessment and certificate evidencing that the SUDS in their completed form can be operated safely;

4.2 if the Council inspects the SUDS and identifies any defects requiring remedial works, the Council will notify the Owner of the defects within 15 Working Days of such inspection. The Owner shall complete any necessary remedial works to the reasonable satisfaction of the Council;

4.3 upon completion of any remedial works, the Owner shall serve notice on the Council inviting them to inspect the remedial works identified by them pursuant to paragraph 4.2 and to issue a SUDS Completion Certificate confirming that such works have been completed to the Council's reasonable satisfaction

PROVIDED THAT if the Council fails to inspect the SUDS within 30 Working Days of receipt of a notice of invitation from the Owner pursuant to paragraphs 4.1 or 4.3 or fails to issue a SUDS Completion Certificate within 30 Working Days of the inspection where no remedial works have been identified then the SUDS Completion Certificate shall be deemed to have been issued at the end of those specified periods PROVIDED FURTHER THAT the inspection procedure identified in paragraphs 4.1 and 4.3 shall be repeated until such time as the Council issue or are deemed to have issued a SUDS Completion Certificate in relation to the SUDS AND PROVIDED FURTHER THAT nothing shall prevent the Owner undertaking the SUDS in phases or in individual component parts and seeking SUDS Completion Certificates for each such phase or part of SUDS.



## **5. On expiration of the SUDS Maintenance Period the Owner shall:**

- 5.1 serve notice on the Council inviting them to inspect the SUDS and issue a SUDS Final Certificate confirming that such works have been maintained to the Council's reasonable satisfaction;
- 5.2 if the Council inspects the SUDS and identifies all necessary remedial works, the council will notify the Owner of the required remedial works within 15 Working Days of such inspection and the Owner will thereafter complete such remedial works to the reasonable satisfaction of the Council;
- 5.3 upon completion of all remedial works, serve notice on the Council inviting them to inspect the remedial works identified by them pursuant to paragraph 5.2 and issue a SUDS Final Certificate confirming at such works have been completed to their reasonable satisfaction

PROVIDED THAT if the Council fails to inspect the SUDS within 30 Working Days of receipt of a notice of invitation from the Owner pursuant to paragraphs 5.1 or 5.3 or fails to issue a SUDS Final Certificate within 30 Working Days of the inspection where no remedial works have been identified then the SUDS Final Certificate shall be deemed to have been issued at the end of those specified periods PROVIDED FURTHER THAT the inspection procedure identified in paragraphs 5.1 or 5.2 shall be repeated until such time as the Council issue or are deemed to have issued a SUDS Final Certificate in relation to the SUDS PROVIDED FURTHER THAT nothing shall prevent the Owner undertaking the SUDS in phases or in individual component parts and seeking SUDS Final Certificates for each such phase or part of the SUDS.

## **6. The Owner shall:**

- 6.1 maintain the SUDS in accordance with the approved SUDS Specification until such time as the SUDS are transferred to the Council or at the Council's election a SUDS Alternative Body pursuant to the Maintenance Scheme; and
- 6.2 from the date the SUDS Completion Certificate is issued or of deemed issue of the SUDS Completion Certificate to allow free unrestricted use and access of the SUDS for the general public at all times of the day and night PROVIDED THAT use and access may be restricted in the following circumstances:
  - 6.2.1 in the event of emergency such that access and use by the general public should be prevented for reasons of health and safety;
  - 6.2.2 where any part of the SUDS shall for health and safety purposes be proposed to be permanently fenced off or where other means are used to permanently prevent use and access by the general public this shall be documented and approved in the SUDS Specification.

## **7. The Owner shall save as otherwise agreed in writing by the Council (acting reasonably):**

- 7.1 not locate any Utilities or Foul/Surface Water Drainage and Sewerage in on or under the SUDS Land other than those public surface water sewers directly associated with and connected to the SUDS features;
- 7.2 not locate the SUDS Land within an area of the Application Site that at the time Planning Permission is granted already has Utilities or Foul/Surface Water Drainage and Sewerage located within such area; unless these are to be relocated.

## Part 2

### TRANSFER OF THE SUDS LAND

The Owner covenants with the Council as follows:

1. No later than 30 Working Days after the issue of a SUDS Completion Certificate to serve written notice on the Council either:
  - 1.1 offering to the Council the SUDS Land to adopt and offering to transfer to the Council the SUDS Land pursuant to the SUDS Transfer ;
  - 1.2 at the Council's election offering to transfer to a SUDS Alternative Body the SUDS Land pursuant to the SUDS Transfer.

**2. In the event that the Council accepts the offer to adopt and take a transfer of any part of the SUDS Land then the Owner shall:**

- 2.1.1 following the issue or deemed issue of the SUDS Final Certificate in relation to the relevant part of the SUDS, execute and deliver to the Council the SUDS Transfer in respect of such part of the SUDS Land;
- 2.1.2 the transfer will take place either
  - (a) as soon as practicably possible after the issue of the relevant SUDS Final Certificate in relation to the SUDS for the whole of the SUDS Land; or
  - (b) where individual SUDS Final Certificates are issued or deemed to be issued in relation to various parts of the SUDS the transfer of the relevant SUDS on which the said SUDS have received a SUDS Final Certificate will occur as soon as practicably possible after the SUDS Final Certificate has been or is deemed to have been issued in respect of the relevant SUDS

PROVIDED ALWAYS THAT the transfer(s) of the whole of the SUDS Land whether it occurs as a result of one or more transfers shall be completed prior to whichever shall be the first to occur of 75% of the Dwellings being Occupied within the relevant Area or the bringing into use of the last building (being buildings other than those forming part of a Dwelling) constructed as part of the Development and the Owner shall bear the reasonable legal and professional fees of the parties to the transfer(s) and any SDLT costs of the transfer (s).

- 2.1.3 on completion of such SUDS Transfer to pay to the Council the relevant proportion of the SUDS Commuted Sum (such proportion being calculated by reference to the area of the land being transferred against the total area of the SUDS Land within the Application Site) and the quantum of such commuted sum shall be agreed between the Owner and the Council prior to the date of transfer based on the details set out in the approved SUDS Specification and the Council will covenant in the transfer to thereafter maintain the SUDS in accordance with the Maintenance Scheme.

- 3. Where the Council elects not to accept the offer of the transfer of the SUDS Land to it the Council shall be entitled to notify the Owner in writing of an SUDS Alternative Body to whom the Council elects that the offer to transfer the SUDS Land should be made by the Owner PROVIDED THAT the Council shall notify the Owner in writing of any proposed election of a SUDS Alternative Body at any time before the date 20 Working Days after the receipt of the notice served pursuant to paragraph 1 of this Part 6 AND PROVIDED FURTHER THAT if the Council shall not have elected an SUDS Alternative Body by the expiry of the said 20 Working Days it shall be deemed that the Council does not wish to elect an SUDS Alternative Body and that the Council will accept the transfer to it of the SUDS Land.**
- 4. Where the Council has elected an SUDS Alternative Body and has notified the Owner before the expiry of the 20 Working Days the Owner shall forthwith write to the SUDS Alternative Body offering to transfer the Open Space Land and/or SUDS Land pursuant to the Open Space Land Transfer to the SUDS Alternative Body.**

**5. In the event that the SUDS Alternative Body accepts the offer to transfer the SUDS Land to it the Owner shall:**

5.1.1 following the issue or deemed issue of the SUDS Final Certificate in relation to the relevant part of the SUDS, execute and deliver to the SUDS Alternative Body the SUDS Transfer in respect of such part of the SUDS Land;

5.1.2 the SUDS Transfer will take place either:

- (a) as soon as practicably possible after the issue or deemed issue of the relevant SUDS Final Certificate in relation to the SUDS for the whole of the SUDS Land; or
- (b) where individual SUDS Final Certificates are issued or deemed to have been issued in relation to various parts of the SUDS the transfer of the relevant SUDS Land on which the said SUDS have received a SUDS Final Certificate will occur as soon as practicably possible after the SUDS Final Certificate has been issued or deemed to have been issued in respect of the relevant SUDS

PROVIDED ALWAYS THAT the transfer(s) of the whole of the SUDS Land whether it occurs as a result of one or more transfers shall be completed prior to whichever shall be the first to occur of 75% of the Dwellings being Occupied or the bringing into use of the last building (being buildings other than those forming part of a Dwelling) constructed as part of the Development; and the Owner shall bear the reasonable legal and professional fees of the parties to the transfer(s) and any SDLT costs of the transfer(s)

5.1.3 on completion of such SUDS Transfer to pay to the SUDS Alternative Body the relevant proportion of the SUDS Commuted Sum (such proportion being calculated by reference to the area of the land being transferred against the total area of the SUDS Land within the Application Site) and the quantum of such commuted sums shall be agreed between the Owner and the Council prior to the date of transfer based on the details set out in the approved SUDS Specification and the SUDS Alternative Body will covenant in the transfer to thereafter maintain the SUDS in accordance with the Maintenance Scheme.

**6. No more than 75% (seventy five percent) of the Dwellings shall be permitted to be Occupied or the last building (being buildings other than those forming part of a Dwelling) constructed as part of the Development shall be permitted to be brought into use (whichever shall be the first to occur) until such time as :**

6.1 the whole of the SUDS Land has been offered to be transferred to either the Council or a SUDS Alternative Body; and

6.2 a SUDS Final Certificate has been issued or deemed to have been issued in relation to all parts of the SUDS.

**7. Owner's Obligations to Transfer**

7.1 The Owner shall only transfer the SUDS Land to either:

(a) the Council, or

(b) a SUDS Alternative Body nominated by the Council.

FOR THE AVOIDANCE OF DOUBT neither the Council nor the SUDS Alternative Body is obliged in any event to take a transfer of the SUDS Land in the event the SUDS have not been constructed in accordance with the approved SUDS Specification or a SUDS Final Certificate has not been issued but at all times the Council or the SUDS Alternative Body must act reasonably and in good faith and the Council must not unreasonably resist the transfer of the SUDS Land to it.

**8. Any dispute under Parts 4, 5 or 6 of this Third Schedule shall be referred to arbitration in accordance with Clause 16 of this Deed.**

**9. Where neither the Council nor any SUDS Alternative Body nominated by the Council are willing to take a transfer of the SUDS Land the Owner may upon Occupation of 75% (seventy five percent) of the Dwellings transfer the SUDS to a Management Company.**

**10. The Owner covenants to transfer the SUDS to a Management Company on the basis that one of its primary objectives is to maintain and manage the SUDS to the reasonable satisfaction of the Council**



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